

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA**

June 6, 2011

8:00 p.m.

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 LaPaglia
Councilman Bader
Councilman Baum
Councilman Camella
Councilman Glaser
Councilman Hoffman
Councilman Struk

PLEDGE OF ALLEGIANCE.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a Regular Mayor and Council Meeting on May 16, 2011 have been received by all Councilpersons, are hereby approved as presented.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

RESOLVED, that the Minutes of an Executive Closed Session Mayor and Council Meeting on May 6, 2011 have been received by all Councilpersons, are hereby approved as presented.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

RESOLVED, that the Minutes of a Special Mayor and Council Meeting on May 17, 2011 have been received by all Councilpersons, are hereby approved as presented.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

RESOLVED, that the Minutes of a **Executive Closed Session Mayor and Council Meeting on May 17, 2011** have been received by all Councilpersons, are hereby approved as presented but not yet ready for release to the public.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

RESOLVED, that the Minutes of a Special Mayor and Council Meeting on May 23, 2011 have been received by all Councilpersons, are hereby approved as presented.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Motion to appoint Wolfgang Albrecht, Borough Administrator as Acting Borough Clerk to take minutes for this meeting only (6-6-11) upon the departure of the Borough Clerk at 9:30 p.m. due to election duties tomorrow morning (6-7-11).

Motion made by _____

Second by _____

APPOINTMENT.

(Mayor) I appoint Michal P. Griffin of Emerson, NJ to the Woodcliff Lake Junior Fire Department.

RESOLVED, that the following appoint is approved.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

FIRE DEPARTMENT SCHOLARSHIP AWARDS PRESENTATION

Chief Jared Shapiro and Officer George Fusco to present scholarships.

PUBLIC HEARING

Ordinance 11-02 (height ordinance)

- A. Clerk offers Proof of Publication.
- B. Ordinance is read by title only

**Be it Resolved, that the Ordinance entitled
“An Ordinance Amending and Supplementing §380-14B(5) of the Revised General Code of
the Borough of Woodcliff Lake”**

C. **Motion to open to the public**

Bader Baum
Camella Glaser
Hoffman Struk
LaPaglia

Motion to close to the public

Bader Baum
Camella Glaser
Hoffman Struk
LaPaglia

- D. Adoption.

Be it Resolved, that the Ordinance entitled

“An Ordinance Amending and Supplementing §380-14B(5) of the Revised General Code of the Borough of Woodcliff Lake”

introduced at a Regular Meeting of the Mayor and Council held on May 16, 2011 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the Borough Clerk is authorized to advertise the same according to law.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Ordinance 11-03 (mobile kitchens)

- A. Clerk offers Proof of Publication.
- D. Ordinance is read by title only

**Be it Resolved, that the Ordinance entitled
“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to Amend Chapter 255 Entitled “Peddling and Soliciting” to Prohibit Mobile Kitchens in the Borough”**

E.	<u>Motion to open to the public</u>	<u>Motion to close to the public</u>
	Bader Baum	Bader Baum
	Camella Glaser	Camella Glaser
	Hoffman Struk	Hoffman Struk
	LaPaglia	LaPaglia

- D. Adoption.

**Be it Resolved, that the Ordinance entitled
“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, to Amend Chapter 255 Entitled “Peddling and Soliciting” to Prohibit Mobile Kitchens in the Borough”**

introduced at a Regular Meeting of the Mayor and Council held on May 16, 2011 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the Borough Clerk is authorized to advertise the same according to law.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Ordinance 11-04 (sheds)

- A. Clerk offers Proof of Publication.
- F. Ordinance is read by title only

**Be it Resolved, that the Ordinance entitled
“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey,
to Amend the Zoning Regulations for Sheds as Accessory Structures in Residential
Districts”**

G. Motion to open to the public

Bader Baum
Camella Glaser
Hoffman Struk
 LaPaglia

Motion to close to the public

Bader Baum
Camella Glaser
Hoffman Struk
 LaPaglia

D. Adoption.

**Be it Resolved, that the Ordinance entitled
“An Ordinance of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey,
to Amend the Zoning Regulations for Sheds as Accessory Structures in Residential
Districts”**

introduced at a Regular Meeting of the Mayor and Council held on May 16, 2011 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the Borough Clerk is authorized to advertise the same according to law.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Ordinance 11-06

A. Clerk offers Proof of Publication.

H. Ordinance is read by title only

**Be it Resolved, that the Ordinance entitled
“Bond Ordinance to Authorize the Making of Various Public Improvements and the
Acquisition of New Additional or Replacement Equipment and Machinery and a New
Automotive Vehicle, Including Original Apparatus and Equipment, In, By and For the
Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate
the Sum of \$1,019,000 to Pay the Cost Thereof, to Make a Down Payment, to Appropriate
Capital Fund Balance, to Authorize the Issuance of Bonds to Finance Such Appropriation
Notes in Anticipation of the Issuance of such Bonds”**

I. Motion to open to the public

Bader Baum
Camella Glaser

Motion to close to the public

Bader Baum
Camella Glaser

D. Adoption.

“Bond Ordinance to Authorize the Making of Various Public Improvements and the Acquisition of New Additional or Replacement Equipment and Machinery and a New Automotive Vehicle, Including Original Apparatus and Equipment, In, By and For the Borough of Woodcliff Lake, In the County of Bergen, State of New Jersey, to Appropriate the Sum of \$1,019,000 to Pay the Cost Thereof, to Make a Down Payment, to Appropriate Capital Fund Balance, to Authorize the Issuance of Bonds to Finance Such Appropriation Notes in Anticipation of the Issuance of such Bonds”

introduced at a Regular Meeting of the Mayor and Council held on May 16, 2011 published in the form presented to and read at this Meeting, shall be appended to the Minutes of this Meeting, and made part of this Resolution and shall be passed on second and final reading, and the Borough Clerk is authorized to advertise the same according to law.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

ENGINEER’S REPORT.

1. Intersection Improvements at Woodcliff Avenue and Werimus Road
2. Intersection Improvements at Kinderkamack Road and Prospect Avenue
3. 2010 NJDOT Pascack Valley Cooperative Pricing System for Road Paving Program
4. 2011 Municipal Road Improvement Program – Glen road (from Woodland road to its intersection with Spring Valley Road), Blueberry Drive (from Overlook Drive to Ginny Drive) and the Remainder of Tice Boulevard From the 2011 NJDOT Project
5. Intersection Improvements to Chestnut Ridge Road and Saddle River Road (Bergen County Project)
6. United Water Woodcliff Lake Dam Project

MAYOR’S REPORT.

ADMINISTRATOR’S REPORT.

OLD BUSINESS

- Broadway Corridor Study (revised)
- Police Consolidation Steering Committee appointments

Resolution Authorizing the Borough of Woodcliff Lake to Sign a Memorandum of Understanding with the Office of the Bergen County Prosecutor, the Borough of Park Ridge and the Borough of Montvale

(this is a shortened version of the Memorandum of Understanding. The full text is attached as part of the permanent agenda)

WHEREAS, in an effort to reduce the tax burden to the citizens of Woodcliff Lake, Park Ridge and Montvale, the governing bodies of these municipalities wish to explore the financial, legal and public safety feasibility of consolidation of law enforcement services within their respective municipalities; and

WHEREAS, the Office of the Bergen County Prosecutor’s has established a program of reimbursement grants, funded solely and exclusively with monies obtained from the forfeiture of assets from criminal defendants, which will permit municipalities to contract for law enforcement consolidation feasibility studies throughout the County of Bergen and will reimburse.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Woodcliff Lake authorize the signing of this Memorandum of Understanding.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

NEW BUSINESS.

Introduction of Ordinance 11-07

“An Ordinance Amending and Supplementing Chapter 95 of the Revised General Code of the Borough of Woodcliff Lake”

Heretofore introduced, does now pass on first reading, and that said Ordinance be further considered for final passage at a meeting to be held on the 20th day of June at 8:00 o’clock P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said Ordinance be further considered for final passage.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

PUBLIC FORUM

Motion to open to the public

Bader Baum
Camella Glaser
Hoffman Struk
LaPaglia

Motion to close to the public

Bader Baum
Camella Glaser
Hoffman Struk
LaPaglia

CONSENT AGENDA DISCUSSION.

CONSENT AGENDA VOTE.

ADJOURNMENT.

CONSENT AGENDA – June 6, 2011

1. Authority to Pay Claims, **page 9**
2. Payroll, **page 9**
3. Resolution Authorizing the Mayor to Sign an Agreement Between Barbara Broderick, 142 Werimus Road, Woodcliff Lake, NJ and the Borough of Woodcliff Lake, **page 9**
4. Resolution Authorizing the Borough of Woodcliff Lake to Sign a Memorandum of Understanding with the Office of the Bergen County Prosecutor, the Borough of Park Ridge and the Borough of Montvale, **page 9, 10**
5. Resolution Requesting Approval of items of Revenue and Appropriation – Chap 159 – NJSA40A 4-87 – NJ State Police – Officer of Emergency Management , **page 10**
6. Resolution Authorizing the Construction Code Official Conduct Work on Private Property, **page 10, 11**
7. Resolution Opposing Rate Increase For Pollution Control Services to the Borough of Woodcliff Lake, **page 11**
8. Resolution Authorizing the Adoption of Personnel Policies and Procedures, **page 12**
9. Resolution Authorizing the Construction Code Official Conduct Work on Private Property, **page 13**

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

Bader Baum Camella Glaser Hoffman Struk LaPaglia

CLAIMS AND BILLS.

Authority to Pay Claims.

(Consent Agenda - 1)

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

Current Fund	\$ 1,023,696.41
State Unemployment Fund	\$ 2,253.53

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Payroll

(Consent Agenda-2)

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

Payroll released	\$ 160,141.79
------------------	---------------

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Authorizing the Mayor to Sign an Agreement Between Barbara Broderick, 142 Werimus Road, Woodcliff Lake, NJ and the Borough of Woodcliff Lake

(Consent Agenda - 2)

WHEREAS, the Borough of Woodcliff Lake or other governmental entities are considering alterations to the intersection of Werimus Road and Woodcliff Avenue as well as the surrounding area; and

WHEREAS, in order to examine the potential alteration of the subject intersection and surrounding area, the Borough must enter upon the Property for the purpose of undertaking land surveys.

NOW, THEREFORE, BE IT RESOLVED that the Woodcliff Lake Council authorize the Mayor to enter into an agreement with the aforementioned resident for the sole purpose of undertaking land surveys.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Authorizing the Borough of Woodcliff Lake to Sign a Memorandum of Understanding with the Office of the Bergen County Prosecutor, the Borough of Park Ridge and the Borough of Montvale

(Consent Agenda - 3)

WHEREAS, in an effort to reduce the tax burden to the citizens of Woodcliff Lake, Park Ridge and Montvale, the governing bodies of these municipalities wish to explore the financial, legal and public safety feasibility of consolidation of law enforcement services within their respective municipalities; and

WHEREAS, the Office of the Bergen County Prosecutor's has established a program of reimbursement grants, funded solely and exclusively with monies obtained from the forfeiture of assets from criminal defendants, which will permit municipalities to contract for law enforcement consolidation feasibility studies throughout the County of Bergen and will reimburse.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Woodcliff Lake authorize the signing of this Memorandum of Understanding.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Requesting Approval of items of Revenue and Appropriation – Chap 159 – NJSA40A 4-87 – NJ State Police – Recycling Tonnage Grant

(Consent Agenda – 4)

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget: and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2011 Budget in the sum of \$20,059.17 from 2010 Recycling Tonnage Grant.

BE IT FURTHER RESOLVED, that a like sum of \$ 20,059.17 is hereby appropriated under the caption of Recycling Tonnage Grant.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Authorizing the Construction Code Official to Authorize Work on 184 Werimus Road, Block 1506, Lot 24 in the Borough of Woodcliff Lake **(Consent Agenda – 5)**

WHEREAS, §265-27 of the Borough Code of Woodcliff Lake states that if a property is not being maintained to the standards of this chapter the Construction Code Official may secure compliance; and

WHEREAS, upon the presentation of a written report of the violation and proposed work to be done to any property that does not comply to the code to the Mayor and Council, the Mayor and Council may authorize the abatement of the nuisance or the correction of the defect or work necessary to place the premises in proper condition; and

WHEREAS, after a review of the report, the Mayor and Council may approve the expenses and costs, whereupon the same shall become a lien against the premises, collectible as provided by law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Construction Code Official to commence the work to be performed at 184 Werimus Road, that the costs shall be certified by the Borough Clerk and filed with the Tax Collector who shall be responsible for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested to the owner.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Opposing Rate Increase For Pollution Control Services to the Borough of Woodcliff Lake
(Consent Agenda – 6)

WHEREAS, the BCUA has informed the Borough of Woodcliff Lake that the 2011 fee being charged for their water pollution control services to the Borough of Woodcliff Lake has increased by over five percent (5%) over the 2010 rates; and

WHEREAS, the Bergen County Utilities Authority needs to be mindful of the current economic climate and the severe financial strain that municipalities in the State, and especially in the County of Bergen, are under; and

WHEREAS, Chapter 44, P.L. 2010 established a 2% levy cap that all municipalities throughout the State are now mandated not to exceed; and

WHEREAS, the increase proposed by the BCUA would force the reduction of essential services in other areas of the municipal budget; and

WHEREAS, the BCUA needs to reduce operating expenses and bring their budget in line with the State mandated 2% cap levy rather than imposing exorbitant fee increases on the municipalities that it serves.

NOW, THEREFORE, BE IT RESOLVED, that it is the sentiment of the Borough Council of the Borough of Woodcliff Lake, County of Bergen, New Jersey that an increase of more than 5 percent (5%) in the 2011 fees proposed by the BCUA is unacceptable and measures need to be taken by the utility to reduce the financial burden that they are placing on the taxpayers in the Borough of Woodcliff Lake.

BE IT FURTHER RESOLVED, that the Borough Clerk shall transmit this resolution to the Executive Director of the BCUA, the Bergen County Executive, Bergen County Board of Chosen Freeholders, and all other Bergen County municipal government services by the BCUA.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Authorizing the Adoption of Personnel Policies and Procedures

(Consent Agenda – 6)

WHEREAS, it is the policy of the Borough of Woodcliff Lake to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meetings Act; and

WHEREAS, the Mayor and Council has determined there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the Personnel Policies and Procedures Manual attached hereto is hereby adopted; and

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough of Woodcliff Lake shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that Ric Danser was appointed as Labor Counsel by Resolution to advise the Borough of Woodcliff Lake in personnel matters.

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. Labor Counsel shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

NOW, THEREFORE, BE IT RESOLVED that the 2011 updated Woodcliff Lake Personnel/Policy Manual is hereby adopted.

Bader Baum Camella Glaser Hoffman Struk LaPaglia

Resolution Authorizing the Construction Code Official to Authorize Work on 9 Somerset Drive, Block 507 , Lot 2 in the Borough of Woodcliff Lake (Consent Agenda – 5)

WHEREAS, §265-27 of the Borough Code of Woodcliff Lake states that if a property is not being maintained to the standards of this chapter the Construction Code Official may secure compliance; and

WHEREAS, upon the presentation of a written report of the violation and proposed work to be done to any property that does not comply to the code to the Mayor and Council, the Mayor and Council may authorize the abatement of the nuisance or the correction of the defect or work necessary to place the premises in proper condition; and

WHEREAS, after a review of the report, the Mayor and Council may approve the expenses and costs, whereupon the same shall become a lien against the premises, collectible as provided by law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Construction Code Official to commence the work to be performed at 184 Werimus Road, that the costs shall be certified by the Borough Clerk and filed with the Tax Collector who shall be responsible for the collection, and a copy of the report and resolution shall be sent by certified mail, return receipt requested to the owner.

Bader Baum Camella Glaser Hoffman Struk LaPaglia