



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

August 7, 2013

8:00 PM

AMENDED 8/7/13

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 R. Goldsmith
Councilwoman Donna Abene
Councilman Jeffrey Bader
Councilwoman Jean Bae
Councilman Eric Bloom
Councilwoman Jacqueline Gadaleta
Council President Robert Rosenblatt

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

RESOLVED, that the Minutes of a Mayor and Council Meeting on June 17, 2013 and July 15, 2013, copies of which have been received by all Councilpersons, are hereby approved.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

APPOINTMENTS

(Mayor) I hereby appoint a Telecommunications Committee and I appoint Rob Kuehlke, Darren Feder, Kevin Errity and Rob Wolpov for a term ending December 31, 2013.

(Mayor) I hereby appoint Robin Malley, as Chair, to the Broadway Corridor Committee for a term ending December 31, 2013.

(Mayor) I hereby appoint Sigrid Frawley, to the Broadway Corridor Committee for a term ending December 31, 2013.

(Mayor) I hereby appoint Craig Marson to the Broadway Corridor Committee for a term ending December 31, 2013.

(Mayor) I appoint Richard Schnoll, as Chair, of the Citizens Police Contract Advisory Committee for a term ending December 31, 2013.

PRESENTATION

- Certificate of Achievement – Jared Mactas

STANDING COMMITTEE REPORTS

Administration/Finance	DONNA ABENE/Eric Bloom
DPW & Roads/Sewers & Sanitation, Ecology	DONNA ABENE/Jeffrey Bader
Parks & Recreation	ERIC BLOOM/Jacqueline Gadaleta
Public Safety/Police/OEM/TriBoro	ROBERT ROSENBLATT/Eric Bloom
Buildings & Grounds/Building Dept.	ROBERT ROSENBLATT/Jacqueline Gadaleta
Board of Health, Mental Health & Welfare	JEFFREY BADER/Jean Bae
Education (elementary) (high)	JEAN BAE/Donna Abene JACQUELINE GADALETA/Jean Bae
Public Information, Newsletters, Ordinances	JEAN BAE/Robert Rosenblatt
Fire – Volunteer/Fire Prevention	JACQUELINE GADALETA/Jeffrey Bader
Library	ERIC BLOOM/Robert Rosenblatt
Senior Citizens' Program	DONNA ABENE/Jacqueline Gadaleta

NEW BUSINESS

Discussion - Landscaping Improvements by Private Landscapers at Various Locations – led by Borough Administrator.

PSEG Bills for Old Mill Pool – bills dating back to 2007 – led by Borough Administrator.

Appointment of two (2) new crossing guards: Ms. Ricca, Park Ridge and Mr. Millington, Montvale.

Introduction of Ordinance 13-08

ORDINANCE NO. 13-08

AN ORDINANCE TO FIX THE COMPENSATIONS OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Woodcliff Lake as follows pursuant to N.J.S.A. 40:48-1, 40:49-2, and 40A:9-165:

SECTION I. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall be fixed for the year 2013 as follows:

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Mayor	4,550	5,850	7,150	5,000
Councilmembers	2,900	3,725	4,550	3,000

SECTION II. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall be for the year 2013 as follows:

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Administrator	90,000	120,000	150,000	115,901
Chief Financial Officer (P/T)	25,000	37,500	50,000	38,871
Borough Clerk	42,600	54,400	66,200	64,728
Part-time Clerical Assistant				5,000
Tax Collector	42,600	54,400	66,200	56,326

Finance Clerk	28,000	36,000	48,000	47,733
Receptionist/Fire Prevention Secretary	24,900	35,350	38,800	36,031
Secretary, Planning/Zoning Board/Board of Health and Payroll Clerk	40,000	50,000	60,000	55,787
Tech. Assistant/Administrative Asst./Deputy Clerk/Deputy Registrar	45,000	50,000	55,000	52,104
Summer Intern				5,000

Additional Stipends

Chief Financial Officer – Budget Preparation	2,700
Administrator – From June 1, 2013	160 per week
Tech. Assistant/Administrative Asst – From May 1, 2013	160 per week

	SALARY RANGE			2013
	MIN.	MID	MAX.	SALARY
Construction Code Official	27,200	34,800	45,000	43,676
Property Maintenance Official	3,100	5,050	5,500	5,286
Construction Supervisor	14,000	17,000	21,000	20,805
Building Sub code Official	9,000	12,000	15,000	15,105
Plumbing Sub code Official	5,000	8,500	12,000	5,000
Electrical Sub code Official	5,000	8,500	12,000	11,795
Zoning Official	4,100	5,150	6,200	5,286
Secretary, Tax Assessor	20,000	25,000	30,000	0
Registrar- Stipend				1,000
Deputy Registrar – Stipend				500
Director of Public Assistance	1,600	2,100	2,600	1,978
Recycling Coordinator	4,000	5,250	6,500	6,126
Fire and Mechanical Sub code Official	5,000	8,500	12,000	7,361
Fire Prevention Official	9,000	12,000	15,000	14,019
Deputy Fire Prevention Official				25.07/hr.
Fire Prevention Inspectors				23.86/hr.
Sewer License Holder				2,500.00

SECTION III. Public Safety. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2013.

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Police Chief				165,492
Captain				156,808
Admin. Assist./Matron	30,000	40,000	50,000	48,645
Emergency Mgmt. Coordinator (P/T)	5,200	7,800	10,400	7,955
Deputy Emergency Mgmt. Coordinator (P/T)				0
School Crossing Guards (P/T)	11.98	15.32	18.65	18.54/hr.

SECTION IV. Department of Public Works. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2013.

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Superintendent	75,000	102,500	130,000	77,690
Supervisor of DPW				75,000
Foreman *	50,000	67,500	85,000	75,806
Senior Labor/Driver/Asst. Mech./Lead Man**	45,000	60,000	75,000	67,678
Sanitation	45,000	60,000	75,000	66,682
Labor/Driver	30,000	60,000	75,000	66,678
Facilities Maintenance	32,500	38,750	45,000	66,678
Stand by Person -				\$300.00 per week
Ecology Lead (P/T)				31.53/hr.
Ecology Assistant (P/T)				15.79/hr

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Snow Plow Driver (P/T)				30.00/hr.
Summer Help (P/T)				12.00/hr.
Leaves – Fall Help (P/T)				13.00/hr.

* Includes \$2,500 Foreman

** Lead man position receives \$1,000 extra

SECTION V. Park & Recreation. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2013:

	SALARY RANGE			2013
	<u>MIN.</u>	<u>MID</u>	<u>MAX.</u>	<u>SALARY</u>
Recreation Director (P/T)	21,000	32,000	43,000	42,331
Park & Recreation Secretary (P/T)				15.05/hr
Pool Manager				11,500
Pool Assistant Manager				9,500
Lifeguard – 1 st Year				7.25/hr.
Lifeguard – 2 nd Year				7.25/hr.
Lifeguard – 3 rd Year				7.50/hr.
Life Guard – 4 th Year				8.00/hr.
Life Guard, 5 th year or more				8.00/hr.– 9.25/hr.
Substitute Lifeguard				7.25/hr.
Gate Guard - Old Mill Pool 1 st Year				7.25/hr.
Gate Guard – Old Mill Pool 2 nd Year				7.25/hr.
Gate Guard – Old Mill Pool 3 rd Year				7.50/hr.
Swim Team Head Coach				2,500
Swim Team Assistant Coach				1,700
Head Director – Summer Day Camp				3,800
Assistant Director – Summer Day Camp				3,000
Arts & Crafts Director – Summer Day Camp				1,800
Camp Counselor – 1 st Year				25/day
Camp Counselor – 2 nd Year				27/day
Camp Counselor – 3 rd Year				30/day
Camp Counselor – 4 th Year				32/day
Tennis Attendant				not to exceed 11.00/hr.

SECTION VI. Hourly Rate/miscellaneous compensation. That the rate of time employed for part time or temporary shall be no less than that set by the United States Department of Labor Fair Standards Act.

That the rate of overtime shall be computed at the rate of one and one-half (1-1/2) times the base salary hourly wage of the employee after 40 hours worked.

That all full-time employees may be compensated one day's pay (base pay) for each two (2) unused sick days.

Maximum twelve (12) sick days per year. All full-time employees have an option to accumulate sick days in lieu of this compensation.

An auto allowance will be provided for the Construction Code Official at \$250/month.

Any additional compensation must be approved by the Mayor and Council.

SECTION VII. Longevity. All full-time salaried employees hired prior to July 1, 2003 shall receive, in addition to the above base salary, the following:

STEP	AFTER YEARS	
	LONGEVITY %	OF SERVICE
1	2	6
2	4	11
3	6	15
4	8	19
5	10	23
6	12(CAP)	29

SECTION VIII. Contracts. Any contracts or agreements, which have been duly authorized by the Mayor and Council, the terms and conditions of said agreements will be adhered to.

SECTION IX. That this ordinance shall be retroactive to January 1, 2013 upon passage and publication as required by law.

Section X. Unless expressly stated otherwise or required by law, this ordinance shall not create any rights that did not exist before this ordinance and this ordinance shall not be deemed to create any vacancies unless the law requires otherwise.

Section XI. 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 XII. This ordinance shall be construed consistent with its purpose. 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 XIII. This ordinance shall be codified as an amendment to the salary ordinance.

OLD BUSINESS

PUBLIC HEARING

Ordinance 13-07

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

Be it Resolved, that the Ordinance entitled
"Ordinance Updating Salary Ordinance for New Title – Supervisor of Public Works"

C. Motion to open the public

Abene Bader
Bae Bloom
Gadaleta Rosenblatt

Motion to close to the public

Abene Bader
Bae Bloom
Gadaleta Rosenblatt

D. Adoption

Be it Resolved, that the Ordinance entitled
"Ordinance Updating Salary Ordinance for New Title -- Supervisor of Public Works"

Introduced at a Regular Meeting of the Mayor and Council held on July 15, 2013, 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 Acting Borough Clerk is authorized to advertise the same according to law.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

PUBLIC FORUM

Motion to open to the public

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Motion to close to the public

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

CONSENT AGENDA DISCUSSION

CONSENT AGENDA VOTE

ADJOURNMENT

CONSENT AGENDA – August 7, 2013

1. Payroll
2. Authority to Pay Claims
3. Resolution of Tax Settlement – Mann v. Borough of Woodcliff Lake
4. Resolution Authorizing Borough Attorney to Select Special Counsel with Respect to a Personnel Matter
5. Resolution Authorizing Refund of Redemption Monies To Outside Lien Holder
6. Resolution Authorizing Contract Extension for Police Captain Roger Caron and Police Chief Anthony Jannicelli
7. Resolution Authorizing Borough Attorney To Prepare Requests For Qualifications (RFQ) for Cost Estimator and Appraiser For Tax Appeal(s) Of BMW OF North America VS. Borough Of Woodcliff Lake
8. Resolution Authorizing a Temporary Tennis Instructor
9. Resolution Authorizing Non-Renewal Notice of Spectrotel Agreement

RESOLVED, that the Consent Agenda is approved as presented.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

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:	\$5,463,085.10
Animal Control:	\$ 802.40
Trust:	\$ 247.25
Open Space Trust:	\$ 125.00
State Unemployment:	\$ 8,368.00
Capital:	\$ 11,384.95
Escrow:	\$ 1,492.42

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

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: \$198,947.49

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Resolution of Tax Settlement – Mann v. Borough of Woodcliff Lake

(Consent Agenda – 3)

WHEREAS, Robert Andrew Mann and Allison Lori Mann are the owners and taxpayers of property located at 1 Hunter Ridge, also known as Block 1203, Lot 4, Borough of Woodcliff Lake, County of Bergen, State of New Jersey; and

WHEREAS, the taxpayers have filed a tax appeal for the year 2012 against the Borough of Woodcliff Lake in a matter entitled Robert Andrew and Allison Lori Mann vs. Borough of Woodcliff Lake, which is presently pending in the 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 interests 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 Robert Andrew and Allison Lori Mann vs. Borough of Woodcliff Lake, so that the assessment for tax year 2012 of \$1,342,500 will be reduced to \$1,268,900, resulting in a refund of \$1,531.61; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated 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.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Resolution Authorizing Borough Attorney to Select Special Counsel with Respect to a Personnel Matter (Consent Agenda – 4)

WHEREAS, a personnel issue has arisen regarding the Borough Administrator that requires review, investigation and recommendation by counsel; and

WHEREAS, whereas the investigation will require counsel to advise as to findings of fact, conclusions of law, and recommendations; and

WHEREAS, a conflict exists if the same were to be undertaken by either the Borough Attorney or Labor Counsel; and

WHEREAS, the Governing Body is desirous of engaging outside special counsel, independent of the Borough and Governing Body, to avoid any appearance of a conflict; and

WHEREAS, the Borough Attorney has recommended that outside special counsel's fees be capped at \$5,000.00; and

WHEREAS, the selection of outside special counsel under the terms of this resolution is an exception from the "fair and open process" set forth in 19:44A-20.5 and from the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.;

NOW THEREFORE BE IT RESOLVED that the Woodcliff Lake Governing Body hereby authorizes the Borough Attorney to select outside counsel, independent of the Borough and Governing Body, for the required review and investigation, and that such counsel shall to render findings of fact, conclusions of law, and recommendations to the Borough Attorney and the Governing Body; and

BE IT FURTHER RESOLVED that outside special counsel's fees shall not exceed the sum of \$5,000.00, without further authorization of the Governing Body; and

IT IS HEREBY CERTIFIED that funds are available for the services set forth in this Resolution.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER
(Consent Agenda – 5)

WHEREAS, at the Municipal Tax Sale held on October 23, 2012, a lien was sold on Block 1308, Lot 8, also known as 12 Marz Drive in Woodcliff Lake, for 2011 delinquent taxes; and

WHEREAS, this lien, known as Tax Sale Certificate #12-00001, was sold to Touma & Associates for 18% redemption fee; and,

WHEREAS, Patrice Lenowitz, owner, has effected redemption of Certificate # 12-00001 in the amount of \$32,682.68.

NOW, THEREFORE, BE IT RESOLVED, that the CFO be authorized to issue a check in the amount of \$32,682.68 payable to **Touma & Associates, 30 Henry Street, Glen Rock, NJ 07452** for redemption of Tax Sale Certificate 12-00001.

Payable by August 14, 2012

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Resolution Authorizing Contract Extension for Police Captain Roger Caron and Police Chief Anthony Jannicelli
(Consent Agenda – 6)

WHEREAS, the Contracts for Police Captain Roger Caron and Police Chief Anthony Jannicelli are due to expire; and

WHEREAS, the Police Committee has recommended the extension of said contracts with all terms and conditions to continue until a new Contract for Captain Caron and Police Chief Jannicelli are negotiated.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby extend the Contracts for Police Captain Roger Caron and Police Anthony Jannicelli with all the terms and conditions until new contracts are negotiated.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Resolution Authorizing Borough Attorney To Prepare Requests For Qualifications (RFQ) for Cost Estimator and Appraiser For Tax Appeal(s) Of BMW OF North America VS. Borough Of Woodcliff Lake (Consent Agenda – 7)

WHEREAS, BMW of North America has filed tax appeals against the Borough which date back to 2006, bearing Docket Nos.: 004381-06; 001143-07/000476-08/008263-09/0009378-10; 001095-11/001100-11/006578-12/000021-13 (collectively the "Tax Appeals"); and

WHEREAS, Tax Appeal Counsel and the Tax Assessor have advised that the Borough engage the services of a Cost Estimator (considering the unusual nature of the properties that are the subject of the Tax Appeals) and a Real Estate Appraiser; and

WHEREAS, to properly defend the Tax Appeals and protect the interests of the Borough of Woodcliff Lake, the Mayor and Council has determined the need to obtain the professional services of a Cost Estimator and Real Estate Appraiser to defend the Borough in the tax appeals; and

WHEREAS, to obtain the professional services required, competitive bid proposals shall be solicited through the Fair and Open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

NOW THEREFORE BE IT RESOLVED that the Borough Attorney be and the same is hereby authorized to prepare the Requests for Qualifications to obtain the professional services of a Cost Estimator and Real Estate Appraiser in defense of the Tax Appeals; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Abene Bader Bae Bloom Gadaleta Rosenblatt Goldsmith

Resolution Authorizing a Temporary Tennis Instructor (Consent Agenda - 8)

WHEREAS, a Woodcliff Lake resident college student, Gabby Drucker, 110 Winding Way, Woodcliff Lake has requested the opportunity to provide temporary low cost tennis instruction during her summer break;

WHEREAS, the tennis instruction will not interfere with any reserved court time or other instruction; and

WHEREAS, the tennis instruction will conclude by August 31, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that Gabby Drucker may provide temporary tennis instruction on the Borough tennis courts when the courts are not in use; and

BE IT FURTHER RESOLVED that Gabby Drucker provides the Borough with a Hold Harmless Insurance Certificate.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**

Resolution Authorizing Non-Renewal Notice of Spectrotel Agreement **(Consent Agenda – 9)**

WHEREAS, on December 3, 2010 Woodcliff Lake entered into a 2 year term Master Services Agreement with Spectrotel for phone service; and

WHEREAS, according to the Agreement, the term automatically renews on an annual basis unless notice is provided for an intention not to renew 90 days in advance of the expiration date; and

WHEREAS, the initial two year term ended on December 3, 2012 and was automatically renewed for one year, ending December 3, 2013; and

WHEREAS, Woodcliff Lake would like to provide written notice of its intention not to renew upon the expiration of the current term; and

NOW, THEREFORE BE IT RESOLVED that the Woodcliff Lake Governing Body hereby authorizes the Borough Administrator to send the requisite notice of non-renewal to: Spectrotel, 3535 Route 66, Suite 66, Neptune, New Jersey 07753.

Abene Bader Bae Bloom Gadaleta Rosenblatt **Goldsmith**