



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL AGENDA
MAY 21, 2018
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 Carlos Rendo
Council President Corrado Belgiovine
Councilwoman Jacqueline Gadaleta
Councilwoman Nancy Gross
Councilwoman Angela Hayes
Councilwoman Kristy Herrington
Councilman Brian Singleton

PLEDGE OF ALLEGIANCE

CLOSED SESSION

Resolution No. 18-131 Resolution Authorizing the Holding of Closed Session

PROCLAMATION – DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

FIRE DEPARTMENT – Appointment of Matthew Samoni as a member of the Woodcliff Lake Fire Department

APPROVAL OF MINUTES

May 7, 2018 (Open)
May 7, 2018 (Closed)

MAYOR'S COMMENTS

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

COUNCIL MEMBERS' REPORTS/COMMENTS

ORDINANCES

Introduction	Ordinance 18-09 An Ordinance Amending the Code of the Borough of Woodcliff Lake Specifically 380-42 of the Zoning Code of the Borough of Woodcliff Lake, Entitled "Prohibited Uses"
Public Hearing	Ordinance 18-06 An Ordinance to Amend Chapter 246: Peace and Good Order so as to Add Article III to Govern the Prohibition of Urinating in Public
Public Hearing	Ordinance 18-07 An Ordinance to Amend Chapter 380-58 and 380-66 of the Borough Code to Amend the Uses Within the Executive and Administrative Office District (EAO) and the Executive and Administrative Office District II (EAOII) of the Borough of Woodcliff Lake
Public Hearing	Ordinance 18-08 An Ordinance Revising the Affordable Housing Development Fees within the Borough of Woodcliff Lake

NEW BUSINESS

- Appointment of LSRP, led by Administrator Padilla

Resolution No. 18-137	Resolution Appointing Langan Engineering and Environmental Services as the Licensed Site Remediation Professional for the Galaxy Gardens Project in the Borough of Woodcliff Lake, Bergen County, New Jersey
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PUBLIC COMMENT

(limited to 5 minutes per speaker)

NON-CONSENT AGENDA

CONSENT AGENDA

Resolution No. 18-132 Resolution Authorizing Payroll and Payment of Claims

Resolution No. 18-133	Resolution Appointing Michael Charnesky as Patrolman with the Woodcliff Lake Police Department in the Borough of Woodcliff Lake
Resolution No. 18-134	Resolution for Seasonal Hire Appointing Baki B. Baykal and Maura Romanowski as Swim Coaches for the Lakers Swim Team in the Borough of Woodcliff Lake
Resolution No. 18-135	Resolution Authorizing Payments to Qualified 2017 Members of the Woodcliff Lake Fire Department into Their LOSAP Accounts
Resolution No. 18-136	Resolution Awarding the Service Contract to Manage the Pool Snack Bar in the Borough of Woodcliff Lake

ADJOURNMENT

******Disclaimer******

Subject to Additions and/or Deletions

ORDINANCE NO 18-06

AN ORDINANCE TO AMEND CHAPTER 246: PEACE AND GOOD ORDER SO AS TO ADD ARTICLE III TO GOVERN THE PROHIBITION OF URINATING IN PUBLIC

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, to ensure peace and good order, it is the desire of the Mayor and Council of the Borough of Woodcliff Lake that an Ordinance be established to set for the Laws and Regulations to govern the prohibition of urinating in public.

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

Section 1. That Chapter 246 of the Borough Code is amended to add Article III beginning at subsection §246-30 to govern the prohibition of urinating in public.

Section 2. That Article III, beginning at §246-30 and continuing in sequence shall read as:

ARTICLE III – PUBLIC URINATION

§246-30 Urinating in Public.

It is unlawful to urinate or defecate in any public area, public place or within view of the public except in public rest rooms provided for that purpose.

§246-31 Violations and Penalties.

Any person adjudged guilty of a violation of the provisions of this article shall, upon conviction thereof in the Municipal Court, be punished by fine not less than \$250.00 and not exceeding \$1,000, imprisonment for a term not exceeding 90 days and/or a period of community services for not more than 90 days, at the discretion of the Court.

§246-32 Exemptions.

The enforcement provisions of this ordinance shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

(a) Children ten years of age or younger;

(b) Persons of any age who violate this ordinance due to a verified medical, and/or psychiatric condition.

Section 3. 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. 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 Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

Section 5. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

ORDINANCE NO. 18-07

AN ORDINANCE TO AMEND CHAPTER §380-58 AND §380-66 OF THE BOROUGH CODE TO AMEND THE USES WITHIN THE EXECUTIVE AND ADMINISTRATIVE OFFICE DISTRICT (EAO) AND THE EXECUTIVE AND ADMINISTRATIVE OFFICE DISTRICT II (EAOII) OF THE BOROUGH OF WOODCLIFF LAKE

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS , the Mayor and Council of the Borough of Woodcliff Lake wish to make changes to the uses of the Executive and Administrative Office District (EAO) and the Executive and Administrative Office District II (EAOII) in order to make such districts available for use in a manner that is consistent with the districts' intended purpose; and

WHEREAS , the Mayor and Council of the Borough of Woodcliff Lake wish to amend Chapter §380-58 and §380-66 of the Borough Code to permit uses in the Executive and Administrative Office District (EAO) and the Executive and Administrative Office District II (EAOII) for office/administrative uses, health care/wellness facilities, hotels and other accessory uses which are customary and incidental to any principal permitted use.

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

Section 1. That Chapter §380-58 entitled "Permitted Uses" of the Borough of Woodcliff Lake shall be amended to add additional uses and accessory uses and shall now read as follows:

§ 350-58 Permitted uses.

Within the Executive and Administrative Office District (EAO) no lot, tract or parcel of land shall be used and no building structure shall be constructed, already, erected or placed to be used for any purpose other than the following principal and accessory uses:

- A. Business, executive, professional, administrative, or governmental offices.
- B. Medical office and offices for medical practitioners, including but not limited to physicians, mental health specialists, dentists, chiropractors, optometrists, podiatrists, physical, occupational and speech therapists, but excluding hospitals, clinics, nursing homes or residential health care facilities.
- C. Hotels.
- D. The following accessory uses shall be permitted: training facilities for office tenants, restaurants, coffee shops and retail uses that primarily serve the tenants of the building and their guests, such as copy shops, parcel services, office supplies, flower shops, dry cleaners, child care centers and accessory uses which are customary and incidental to any principal permitted use.

Section 2. It is the intent of this ordinance to effect the permitted uses in the Executive and Administrative Office District II (EAOII) pursuant to the terms of §380-66.

Section 3. 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. 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 Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

Section 5. This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

ORDINANCE NO. 18-08

**AN ORDINANCE REVISING THE AFFORDABLE HOUSING DEVELOPMENT FEES
WITHIN THE BOROUGH OF WOODCLIFF LAKE**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE, IN THE
COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS , the Mayor and Council of the Borough of Woodcliff, with the advice of the Borough Planner, has recognized a need to update its Affordable Housing Development Fees Ordinance codified in Chapter 380 Article X to remove references to partially destroyed structures.

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

Section 1: That chapter § 380-69 is amended to entirely strike the definition of "PARTIAL DESTRUCTION"

Section 2: That the chapter § 380 -70 (2) (d) is amended to strike references to partially destroyed structures and shall now read as:

§ 380-70 (2)

- d. Development fees shall be imposed and collected when an existing structure is *demolished, torn down or destroyed and replaced* by a new or rebuilt structure. The development fee hereunder shall be calculated on the increase in the equalized assessed value of the new or rebuilt structure.

Section 3: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 4: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 5. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 6: This ordinance shall take effect upon passage and publication according to law.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**RESOLUTION NO. 18-131
MAY 21, 2018**

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; and

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

1. COAH Litigation

WHEREAS, these Minutes will be kept and once the matter involving the confidentiality of the aforementioned no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT FURTHER RESOLVED that formal action may be taken at the Meeting.

CERTIFICATION

I, Deborah Dakin, 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 May 21, 2018.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 18-132
MAY 21, 2018**

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 5/15/2018 \$182,277.04

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:	\$ 255,320.98
Animal Control:	\$ 19.20
Affordable Housing:	\$ 1,433.61
General Capital:	\$ 3,977.44

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, 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 May 21, 2018.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

**RESOLUTION APPOINTING MICHAEL CHARNESKY AS PATROLMAN
WITH THE WOODCLIFF LAKE POLICE DEPARTMENT IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 18-133
MAY 21, 2018**

WHEREAS, Borough of Woodcliff Lake, having previously recognized the need to hire a police officer did hire Michael Charnesky as a Police officer on a probationary status; and

WHEREAS, Michael Charnesky has successfully completed his probationary year and it is the recommendation of Chief of Police Anthony Jannicelli that Police Officer Michael Charnesky be appointed to the rank of Patrolman; and

WHEREAS, the Borough of Woodcliff Lake has determined that Michael Charnesky possesses the necessary skills and experience to hold the position of Patrolman with the Woodcliff Lake Police Department.

NOW THEREFORE, BE IT RESOLVED, that Michael Charnesky is appointed as patrolman with the Woodcliff Lake Police Department effective June 1, 2018 in accordance with the terms and schedules contained within the governing Collective Bargaining Agreement, the polices of the Borough of Woodcliff Lake and the laws of the State of New Jersey.

CERTIFICATION

I, Deborah Dakin, 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 May 21, 2018.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

**RESOLUTION FOR SEASONAL HIRE APPOINTING BAKI B. BAYKAL AND MAURA ROMANOWSKI AS
SWIM COACHES FOR THE LAKERS SWIM TEAM IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 18-134
MAY 21, 2018**

WHEREAS, the Borough of Woodcliff Lake has determined the need for the seasonal hire of two (2) Swim Coaches for the Lakers Swim Team; and

WHEREAS, said position pays a total of \$1,900.00 for seasonal employment from June 16, 2018 to August 4, 2018; and

WHEREAS, Angela Maday, President of the Lakers Swim Team and Kelly Kosoff, Vice President of the Laker Swim Team have identified Baki B. Baykal and Maura Romanowski as qualified candidates for the position; and

WHEREAS, the Borough of Woodcliff Lake has determined that Baki B Baykal and Maura Romanowski possess the necessary skills and experience to hold the seasonal position of Swim Coaches for the Lakers Swim Team.

NOW THEREFORE, BE IT RESOLVED, that Baki B. Baykal and Maura Romanowski are hired as a seasonal employees with the title of Swim Coach for the Lakers Swim Team. Said employment is subject to the successful completion of the appropriate background check.

CERTIFICATION

I, Deborah Dakin, 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 Governing Body at the meeting of May 21, 2018.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENTS TO QUALIFIED 2017 MEMBERS OF THE WOODCLIFF LAKE FIRE DEPARTMENT INTO THEIR LOSAP ACCOUNTS

**RESOLUTION NO. 18-135
MAY 21, 2018**

WHEREAS, the Borough Auditor has advised that a certified list of eligible LOSAP volunteer members must be approved by Resolution of the Governing Body; and

WHEREAS, the lists of members meeting their LOSAP requirements for the year 2017 has been submitted to the CFO by the Captain of the Woodcliff Lake Volunteer Fire Department.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake to certify the following list of eligible LOSAP volunteer members and authorize payments into the LOSAP accounts:

Tim Ennis
Ed Barboni
Jim Kuehlke
Joe Solda
John Whelan
Jeff Schuster
Vicky Patel
George Lucia, Jr.

Rob Kuehlke
Mike Koons
John Stalb
Domenic Baratta
Matt Samani
Herb Kuehlke
Ruth Beckman

Frank Meredith
Kevin McGovern
Dan Schuster
George Fusco
Joseph Franzetti
Richard Sparke
Raphael Jose Maurrasse

CERTIFICATION

I, Deborah Dakin, 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 Governing Body at the meeting of May 21, 2018.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

**RESOLUTION AWARDING THE SERVICE CONTRACT TO MANAGE THE POOL SNACK BAR IN THE
BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 18-136
MAY 21, 2018**

WHEREAS, the Borough of Woodcliff Lake has identified the benefits of awarding a service contract for the operation/management of the snack bar located at the public swim pool; and

WHEREAS, the Borough has identified the corporation of "Harvest Moon Caterers" (herein referred to as "Vendor") as having the expertise, equipment and experience necessary to perform this service for the Borough; and

WHEREAS Vendor shall pay a fee of \$3,000.00 to the Borough for the 2018 summer season with a start date of Saturday, May 26, 2018 and an end date of Monday, September 3, 2018. Hours are to be at the discretion of the Director of Parks and Recreation; and

WHEREAS this contract is subject to the terms of the contract executed between the Borough and the vendor; and

WHEREAS this contract is a service contract and not a lease hold; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold to be done without competitive bids and provides that the contract itself must be available for public inspection.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and Harvest Moon Caterers for the operation/management of the snack bar located at the public swim pool.

CERTIFICATION

I, Deborah Dakin, 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 Governing Body at the meeting of May 21, 2018.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Gadaleta						
Gross						
Hayes						
Herrington						
Singleton						
Belgiovine						
Mayor Rendo						

RESOLUTION APPOINTING LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES AS THE LICENSED SITE REMEDIATION PROFESSIONAL FOR THE GALAXY GARDENS PROJECT IN THE BOROUGH OF WOODCLIFF LAKE, BERGEN COUNTY, NEW JERSEY

**RESOLUTION NO. 18-137
MAY 21, 2018**

WHEREAS, there is a need for the Borough of Woodcliff Lake to retain the professional service of a Licensed Site Remediation Professional (“LSRP”) for the Galaxy Gardens project; and

WHEREAS, Langan Engineering and Environmental Services, Inc. of Parsippany, New Jersey has the expertise and experience necessary serve the Borough in such capacity and submitted a proposal for such services on May 17, 2018 with such services to not exceed \$41,500.00; and

WHEREAS, a contract for professional services pursuant to N.J.S. 40A:11-5(1)(a)(I) and N.J.S. 19:44A-20.5 may be awarded without advertisement for bids or bidding in that the required services must be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which requires knowledge of an advanced and specialized type.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and he is hereby authorized and directed to execute, and the Borough Clerk to attest to any document contracting with and appointing Langan Engineering and Environmental Services, Inc. to provide Licensed Site Remediation Professional services for the Galaxy Gardens project pursuant to the terms of their May 17, 2018 proposal with such services to not exceed \$41,500.00.

BE IT FURTHER RESOLVED, that a copy of the within resolution together with a copy of the Proposal for Services/Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and the Borough of Woodcliff Lake.

CERTIFICATION

I, Deborah Dakin, 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 Governing Body at the meeting of May 21, 2018.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

CERTIFICATION OF FUNDS

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

**Harold Laufeld
Chief Financial Officer**