



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL AGENDA  
July 11, 2016  
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 Jeanine Chiavelli  
Councilwoman Jacqueline Gadaleta  
Councilwoman Angela Hayes  
Councilwoman Kristy Herrington  
Councilman Thomas Panso

**PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE – BRENDA BOFFA AND SIGRID FRAWLEY**

**CERTIFICATE OF ACHIEVEMENT**

- Isabella Rossi, Girl Scout Silver Award Project

**PRESENTATION OF FIRE DEPARTMENT SCHOLARSHIPS**

**APPROVAL OF MINUTES**

- June 6, 2016 (Closed)
- June 6, 2016 (Open)
- June 15, 2016

**APPOINTMENT OF ZONING BOARD MEMBER**

Alternate #2 Member James Vercelli (term expiring December 31, 2016)

**CORRESPONDENCE**

- Letter from Elliot Urdang, Esq. to Ronald Dario, Esq., dated June 22, 2016

**MAYOR'S COMMENTS**

**ADMINISTRATOR'S REPORT**

## **ENGINEER'S REPORT**

### **NEW BUSINESS**

- Parks and Recreation Update, led by Councilwoman Jeanine Chiavelli
- DPW Update, led by Councilwoman Jeanine Chiavelli

## **PUBLIC HEARING – FIELD LIGHTS AT DORCHESTER**

### **ORDINANCES**

Public Hearing	Ordinance 16-08 "An Ordinance Amending Chapter 380: Zoning by Adding Article XVI Entitled "Short Term Vacation Rentals Of/In Residential Properties Prohibited"
Public Hearing	Ordinance 16-09 "An Ordinance Amending Chapter 380: Zoning By Adding Article XVII Entitled "Unlawful Residential Units"
Public Hearing	Ordinance 16-11 "An Ordinance Amending the Definition of Boardinghouse Contained in Chapter 380-6(A)"
Introduction	Ordinance 16-12 "An Ordinance Adding Chapter 411 to the Borough Code Governing Pet Shops and the Sale of Animals"

### **PUBLIC COMMENT**

(limited to 5 minutes per speaker)

### **CONSENT AGENDA**

Resolution No. 16-173	Resolution Authorizing Payroll and Payment of Claims
Resolution No. 16-174	Resolution Authorizing Release of Escrow Balance (Yoo)
Resolution No. 16-175	Resolution Authorizing Release of Escrow Balance (Edelman)
Resolution No. 16-176	Resolution Authorizing Release of Escrow Balance (Kramer)
Resolution No. 16-177	Resolution Authorizing Release of Escrow Balance (Laski)
Resolution No. 16-178	Resolution Authorizing Release of Escrow Balance (Botta)
Resolution No. 16-179	Resolution Authorizing Release of Escrow Balance (Dehwan)
Resolution No. 16-180	Resolution Authorizing Release of Escrow Balance (Schector)
Resolution No. 16-181	Resolution Authorizing Release of Escrow Balance (Lynch)
Resolution No. 16-182	Resolution Authorizing Release of Escrow Balance (O'Keefe)
Resolution No. 16-183	Resolution Authorizing Release of Escrow Balance (Johnson)
Resolution No. 16-184	Resolution Authorizing Release of Escrow Balance (Harrison)
Resolution No. 16-185	Resolution Authorizing Release of Escrow Balance (Klein)
Resolution No. 16-186	Resolution Authorizing Release of Escrow Balance (Zeff)
Resolution No. 16-187	Resolution Authorizing Release of Escrow Balance (O'Keefe)
Resolution No. 16-188	Resolution Authorizing Release of Escrow Balance (O'Keefe)
Resolution No. 16-189	Resolution Authorizing Release of Escrow Balance (Davis)

Resolution No. 16-190	Resolution Authorizing Release of Escrow Balance (Albanese)
Resolution No. 16-191	Resolution Honoring the Bergen Volunteer Center on Its 50 <sup>th</sup> Anniversary
Resolution No. 16-192	Resolution Requesting Approval of Items of Revenue and Appropriation – Chapter 159 – NJSA 40A-4.87 - Clean Communities
Resolution No. 16-193	Resolution Requesting Approval of Items of Revenue and Appropriation – Chap 159 – NJSA 40A 4087 – Alcohol Education Rehabilitation Fund
Resolution No. 16-194	Resolution Renewing Liquor License for Woodcliff Farms/dba Woodcliff Manor
Resolution No. 16-195	A Resolution Authorizing Tax Appraisals in the Borough of Woodcliff Lake
Resolution No. 16-196	Resolution Adopting By-Laws for the Mayor and Council in the Borough of Woodcliff Lake
Resolution No. 16-197	Resolution Directing Mayor to Sign Developer’s Agreement on Behalf of the Borough of Woodcliff Lake
Resolution No. 16-198	Resolution Authorizing the Appointment of Grant Consultant in the Borough of Woodcliff Lake
Resolution No. 16-199	Resolution Authorizing an Inter-Local Agreement Between the Boroughs of Park Ridge and Woodcliff Lake for the Payment of Engineering, Survey and Permitting Costs for Repairs to the Glen Road Culvert in the Borough of Woodcliff Lake

**ADJOURNMENT**

**\*\*\*Disclaimer\*\*\***

**Subject to Additions and/or Deletions**

**RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS**

**RESOLUTION NO. 16-173**

**July 11, 2016**

**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 6/30/2016 - \$201,045.78

**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:	\$1,383,932.31
Animal Control:	\$ 9.60
Trust/Other:	\$ 652.84
Affordable Housing:	\$ 4,216.25
General Capital:	\$ 9,125.70
Escrow:	\$ 10,726.39

**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.

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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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-174**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**DAVID YOO  
22 Fairview Avenue  
Woodcliff Lake, New Jersey  
Escrow Refund: \$291.79**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$291.79 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-175**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**DAVID EDELMAN  
48 Rose Avenue  
Woodcliff Lake, New Jersey  
Escrow Refund: \$838.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$838.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-176**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**RADU KRAMER  
22 Anton Court  
Woodcliff Lake, New Jersey  
Escrow Refund: \$1675.00**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$1675.00 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-177**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**KRISTA LASKI  
74 Wyandemere Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$327.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$327.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-178**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**NICHOLAS BOTTA  
37 Brookview Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$496.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$496.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-179**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**SANJEEV DEHWAN  
37 Old Pascack Road  
Woodcliff Lake, New Jersey  
Escrow Refund: \$173.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$173.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-180**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**ELYSSA SCHECTOR  
11 Shield Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$202.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$202.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-181**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**DIANE LYNCH  
57 Highview Avenue  
Woodcliff Lake, New Jersey  
Escrow Refund: \$155.00**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$155.00 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-182**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**BONNIE O'KEEFE  
24 Claire Circle  
Woodcliff Lake, New Jersey  
Escrow Refund: \$114.75**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$114.75 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-183**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**JOHN JOHNSON  
56 Shield Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$1042.90**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$1042.90 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-184**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**MARY LEE HARRISON  
56 Heather Hill Lane  
Woodcliff Lake, New Jersey  
Escrow Refund: \$126.25**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$126.25 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-185**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**JENNIFER KLEIN  
10 Birchwood Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$145.00**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$145.00 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-186**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**JEREMY ZEFF  
40 Woodcrest Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$258.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$258.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-187**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**BONNIE O'KEEFFE  
96 Brookview Drive  
Woodcliff Lake, New Jersey  
Escrow Refund: \$479.00**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$479.00 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-188**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**BONNIE O'KEEFFE  
1 Balsam Road  
Woodcliff Lake, New Jersey  
Escrow Refund: \$258.85**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$258.85 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-189**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**JEFF DAVIS  
19 S. Carnot Avenue  
Woodcliff Lake, New Jersey  
Escrow Refund: \$65.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$65.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE**

**RESOLUTION NO. 16-190**

**July 11, 2016**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**JENNIFER ALBANESE  
12 Rose Avenue  
Woodcliff Lake, New Jersey  
Escrow Refund: \$50.50**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$50.50 in connection with the aforementioned.

**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 July 11, 2016.

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

**RESOLUTION HONORING THE BERGEN VOLUNTEER CENTER ON ITS 50TH ANNIVERSARY**

**JULY 11, 2016  
RESOLUTION NO. 16-191**

**WHEREAS**, the Bergen Volunteer Center was founded in 1966 to meet community needs through the power of volunteers. Its direct service programs organize volunteers to provide invaluable support to some of Bergen County's most vulnerable citizens. The Mentoring Youth program has recruited, trained and supervised volunteer mentors for children who have been abused or neglected; since 1978 Mentoring Youth has provided a trusted mentor to more than 3,700 children. The Mentoring Moms program recruits, trains and supervises mentors for mothers whose children are at-risk for abuse or neglect; since 1995 more than 500 mothers have been matched with a mentor. The Chore Service provides home safety repairs for senior citizens and the disabled free of charge through the volunteer efforts of senior citizens. The Business Volunteer Council organizes corporations to help eliminate hunger and illiteracy; and

**WHEREAS**, the Bergen Volunteer Center ensures that Bergen County has a pipeline of committed, civic leaders through its training programs: Bergen LEADS for adults and Teen LEADS and Ready-Set-Serve for young people. They also strengthen the nonprofit community by maintaining a database of volunteer opportunities, providing volunteer managers' training and the Expert Exchange workshops and webinars; and

**WHEREAS**, Woodcliff Lake Municipality has benefitted from the efforts of the Bergen Volunteer Center since 2010 in the following ways:

- 47 residents received safety repairs from the Chore Service
- 1 mother received a mentor
- 3 residents participated in Bergen LEADS; and

**WHEREAS**, residents of Woodcliff Lake Municipality have supported the Bergen Volunteer Center since 2010 in the following ways:

- 7 served as Mentoring Youth mentors
- 1 served as a Mentoring Moms mentor
- 78 supported the Bergen Volunteer Center with their philanthropy; and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of Woodcliff Lake Municipality, County of Bergen, hereby honors the Bergen Volunteer Center for its 50 years of turning caring into action and knowing that the Bergen Volunteer Center is not getting old, it is just getting started.

**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 July 11, 2016.

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION –**  
**CHAP 159 – NJSA 40A 4-87 – CLEAN COMMUNITIES**

**RESOLUTION NO. 16-192**  
**JULY 11, 2016**

**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; and

**WHEREAS**, the Borough of Woodcliff Lake has received \$ 17,047.07 from State of NJ Clean Communities Program and wishes to amend its 2016 Budget to include this amount as a revenue.

**NOW, THEREFOR 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 2016 Budget in the sum of \$17,047.07 which is now available from Clean Communities Program.

**BE IT FURTHER RESOLVED**, that a like sum of \$ 17,047.07 is hereby appropriated under the caption

General Appropriations  
Operations Excluded from CAPS  
State and Federal Programs Offset by Revenues  
Clean Communities Program

**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 July 11, 2016.

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

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION –  
CHAP 159 – NJSA 40A 4-87 – ALCOHOL EDUCATION REHABILITATION FUND**

**RESOLUTION NO. 16-193  
JULY 11, 2016**

**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; and

**WHEREAS**, the Borough of Woodcliff Lake has received \$ 543.88 from State of NJ Alcohol Education Rehabilitation Enforcement Fund and wishes to amend its 2016 Budget to include this amount as a revenue.

**NOW, THEREFOR 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 2015 Budget in the sum of \$543.88 which is now available from Alcohol Education Rehabilitation Fund.

**BE IT FURTHER RESOLVED**, that a like sum of \$543.88 is hereby appropriated under the caption:

General Appropriations  
Operations Excluded from CAPS  
State and Federal Programs Offset by Revenues  
Alcohol Education Rehabilitation Fund

**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 July 11, 2016.

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

**RESOLUTION RENEWING LIQUOR LICENSE FOR WOODCLIFF FARMS  
dba WOODCLIFF MANOR**

**Resolution No. 16-194  
July 11, 2016**

**WHEREAS, WOODCLIFF MANOR**, has applied for renewal of their respective Plenary Retail Consumption License; and

**WHEREAS**, the said applicant has, in the opinion of the Mayor and Council, complied with the requirements of the Alcoholic Beverage Control Commission, and the Ordinance of the Borough of Woodcliff Lake.

**NOW THEREFORE, BE IT RESOLVED**, that Plenary Retail Consumption License No. 0268-33-004-002 is hereby granted to **WOODCLIFF MANOR**, for the sale of alcoholic beverages for the period of July 1, 2016 to June 30, 2017, in accordance with the requirements of said Act and said Ordinance, on premises located at 25 Prospect Avenue.

**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 July 11, 2016.

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

**A RESOLUTION AUTHORIZING TAX APPRAISALS  
IN THE BOROUGH OF WOODCLIFF LAKE**

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**RESOLUTION NO. 16-195  
July 11, 2016**

**WHEREAS**, it is the advice and recommendations of the Borough Tax Counsel to seek formal appraisals for two (2) properties with matters pending before the Tax Court of New Jersey; to wit; and

1. Block 1108, Lot 1 on the Borough Tax Map owned by plaintiff Jill Kalb; a proposal for such appraisal services is attached hereto in the amount of \$1,150.00
2. Block 2201.03, Lot 1 on the Borough Tax Map owned by Plaintiff Lawrence M. & Elana F. Bibi; a proposal for such appraisal services is attached hereto in the amount of \$1,150.00

**WHEREAS**, the total cost for said appraisals is \$2,300.00 pursuant to the proposals submitted by Mason Helmstetter LLC of Hasbrouck Heights is attached hereto.

**WHEREAS**, it is in the best interest of the Borough to order such appraisals.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Maywood, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment to Mason Helmstetter LLC of Hasbrouck Heights for the appraisals stated above.

**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 July 11, 2016.

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

**RESOLUTION ADOPTING BY-LAWS FOR THE MAYOR AND COUNCIL  
IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 16-196  
JULY 11, 2016**

**WHEREAS,** N.J.S.A. § 40A:60-1 et. seq. permits the Mayor and Council of the Borough of Woodcliff Lake to adopt and from time to time amend and/or repeal suitable bylaws for the management of its affairs; and

**WHEREAS,** the bylaws attached to this Resolution would aid in the efficient management and establish the process for Council decisions and other matters relating to Council operations

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Woodcliff Lake that the by-laws attached hereto are adopted as the governing bylaws for the Mayor and Council.

**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 July 11, 2016.

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

**RESOLUTION DIRECTING MAYOR TO SIGN DEVELOPER'S AGREEMENT ON BEHALF OF  
THE BOROUGH OF WOODCLIFF LAKE**

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**RESOLUTION NO. 16-197**

**July 11, 2016**

**WHEREAS**, on September 28, 2015, the Planning Board of the Borough of Woodcliff Lake ("Board") approved a resolution after hearing an application filed by Woodcliff Lake Investors I, LLC, the contract purchaser of property consisting of: Block 33.01 Lots 3 and 4, Block 303 Lots 1 and 2, Block 401 Lots 1.01, 1.02 and 1.03; and

**WHEREAS**, condition (e) of the Board's approval requires the entry by the Applicant into a Developer's Agreement with the Board and the Borough of Woodcliff Lake; and

**WHEREAS**, all of the subject properties have all been acquired by Pulte Homes of NJ, Limited Partnership ("Pulte") from individual owners and not Woodcliff Lake Investors I, LLC; and

**WHEREAS**, Pulte has demanded to proceed with the approved Planned Development; and

**WHEREAS**, a Developer's Agreement has been prepared by Board counsel and reviewed by the Borough Attorney; and

**WHEREAS**, the governing body is desirous of entering into the Developer's Agreement so as to compel the property owner to meet its obligations under the resolution of approval and according to the terms of the Developers Agreement; and

**WHEREAS**, the governing body has considered the demand, made through counsel, of Pulte to enter the Developer's Agreement and promptly commence the project; and

**WHEREAS**, the governing body has received advice of counsel and concluded that the variances run with the land and belong to the property owner, Pulte.

**IT IS HEREBY RESOLVED** that the Mayor is directed to execute the Developer's Agreement on behalf of the Borough of Woodcliff Lake upon presentation of the Developer's Agreement signed by a duly authorized agent of Pulte together with the required escrows, fees and bonds.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING THE APPOINTMENT OF GRANT CONSULTANT IN THE BOROUGH OF  
WOODCLIFF LAKE**

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**RESOLUTION NO. 16-198**

**July 11, 2016**

**WHEREAS**, the Borough of Woodcliff Lake has recognized a need to retain the services of a grant consultant; and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake wish to extend the contract with the current Borough grant consultant, Millennium Strategies, LLC, to provide such service to the Borough; and

**WHEREAS**, the Borough shall engage the grant consultant to render grants consulting services to the Borough for a term of one (1) year commencing on September 1, 2016 and expiring August 31, 2016. The Agreement shall be automatically extended for three (3) six month extension periods subject to termination by the Borough pursuant to the agreement between the parties; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Woodcliff Lake that of the firm of Millennium Strategies, LLC is hereby appointed as Borough Grant Consultant pursuant to the terms of their previous executed contract.

**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 July 11, 2016.

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

**RESOLUTION AUTHORIZING AN INTER-LOCAL AGREEMENT  
BETWEEN THE BOROUGHS OF PARK RIDGE AND WOODCLIFF LAKE FOR THE PAYMENT OF  
ENGINEERING, SURVEY AND PERMITTING COSTS FOR REPAIRS TO THE GLEN ROAD CULVERT  
IN THE BOROUGH OF WOODCLIFF LAKE**

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**RESOLUTION NO. 16-199  
July 11, 2016**

**WHEREAS**, the Borough of Park Ridge (Park Ridge), has previously adopted a Resolution (015-246) authorizing certain Engineering, Surveying and Permitting services to be performed by Brooker Engineering, PLLC, Engineer for the Borough of Park Ridge; and

**WHEREAS**, in light of the fact that portions of said culvert fall within the borders of both the Borough of Park Ridge and the Borough of Woodcliff Lake (Woodcliff Lake), Woodcliff Lake wishes to share the total cost for said services (\$27,100.00) with Park Ridge; and

**WHEREAS**, to secure said services both Boroughs have agreed to enter into an inter-local agreement to provide for the equal sharing of said costs; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities for the shared provision of any service that any party to the agreement is empowered to provide within its own jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Mayor and/or Administrator is authorized and the Borough Clerk shall attest to an Inter-Local Agreement between the **BOROUGH OF PARK RIDGE** and the **BOROUGH OF WOODCLIFF LAKE** for the equal sharing of the aforementioned engineering, survey and permitting services; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the Borough of Park Ridge.

**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 July 11, 2016.

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

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County, New Jersey**

**ORDINANCE NO. 16-08**

**“AN ORDINANCE AMENDING CHAPTER 380: ZONING BY ADDING ARTICLE XVI  
ENTITLED “SHORT TERM VACATION RENTALS OF/IN RESIDENTIAL PROPERTIES PROHIBITED”**

**WHEREAS**, the Borough’s primary housing goals including preserving its housing stock and preserving the quality and character of its existing neighborhoods. In order to continue to flourish, the Borough must preserve its available housing stock and the character and charm which result, in part, from cultural, ethnic and economic diversity of its resident population; and

**WHEREAS**, the Borough must also preserve its unique sense of community which it derives, in large part, from residents’ active part participation in civic affairs, including local government, cultural events, and educational endeavors; and

**WHEREAS**, operations of vacation rentals, where residents of the Borough rent-out entire dwellings or portions thereof to visitors are detrimental to the community’s welfare and are prohibited by local law, because occupants of such vacation rentals do not have any connections to the Borough community and to the residential neighborhoods in which they are visiting; and

**WHEREAS**, the presence of such visitors within the Borough’s residential neighborhoods can sometimes disrupt the residential character of the neighborhoods and adversely impact the community; and

**WHEREAS**, judicial decisions have upheld local governments’ authority to prohibit vacation rentals, boarding houses and rooming houses; and

**WHEREAS**, the Board of Commissioners of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to adopt an ordinance to prohibit such short-term vacation rentals in residential properties that may jeopardize the community’s welfare and degrade the quality of life within the Borough.

**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:** Chapter 380 entitled Zoning of the Borough of Woodcliff Lake is hereby amended and revised to add and create a new Article XVI entitled, "Short Term Vacation Rentals in Residential Properties - Prohibited" and new Section beginning at §380-112 entitled "Short Term Vacation Rentals in Residential Properties – Prohibited" to read as follows:

ARTICLE XIV: Short Term Vacation Rentals in Residential Properties - Prohibited

§380-112 DEFINITIONS.

- a. **HOSTING PLATFORM.** A market place in whatever form or formal which facilitates the Vacation Rental, through advertising, match-making or any other means, using any medium of facilitation and from which the operator of the hosting platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the market place.
- b. **VACATION RENTAL.** Rental of any dwelling unit, in whole or in part, within the Borough of Woodcliff Lake, to any person(s) for exclusive or partial transient use of thirty (30) consecutive days or less, whereby the dwelling is only approved for permanent residential occupancy and not approved for transient occupancy by this Chapter. Rental of dwellings within the Borough approved hotels, motels and bed and breakfasts shall not be considered Vacation Rentals.

§380-113 PROHIBITIONS.

- a. No person, including any Hosting Platform operator, shall undertake, maintain, authorize, aid, facilitate or advertise any Vacation Rental activity that does not comply with this Code.

§380-114 REGULATIONS.

- a. The Mayor and Council of the Borough may promulgate regulations, which may include but are not limited to permit conditions, reporting requirements, inspection frequencies, enforcement procedures, advertising restrictions, disclosure requirements, or insurance requirements, to implement the provisions of this Chapter. No person shall fail to comply with any such regulation.
- b. The Mayor and Council of the Borough may establish and set by Resolution all fees and charges as may be necessary to effectuate the purpose of this Chapter.

§380-115 ENFORCEMENT.

- a. Violation of any provision of this chapter shall be cause for a Municipal Court summons to be issued by the Police Department, Code Enforcement Official, or Health Officer.
- b. Violation of the provisions of this chapter shall be punishable as a minimum fine of two hundred fifty (\$250.00) dollars and a maximum of one thousand (\$1000.00) per day of the violation for first time offenders. Second and subsequent offenders Violation of the provisions of this chapter shall be punishable as a minimum fine of seven hundred fifty (\$750.00) dollars and a maximum of one thousand (\$1000.00) per day of the violation. All fines shall be payable through the Municipal Court Violations Bureau.
- c. Any person convicted of violating any provision of this Chapter in a criminal case or found to be in violation of this Chapter in a civil case brought by a law enforcement agency shall be ordered to reimburse the Borough and other participating law enforcement agencies their full investigative costs and remit all illegally obtained rental revenue to the Borough so that it may be returned to the victims of legal short term rental activities.
- d. Any interested person may seek an injunction or other relief to prevent or remedy violations of this Chapter. The prevailing party in such an action shall be entitled to recover reasonable costs and attorney's fees.
- e. The remedies provided in this section are not exclusive, and nothing in this Section shall preclude the use or application of any other remedies, penalties or procedures established by law.

**Section 2:** 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 3:** 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 4.** 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 5:** This ordinance shall take effect upon passage and publication according to law.

Date: June 6, 2016

Attest: **DEBORAH DAKIN**  
**BOROUGH CLERK**

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County, New Jersey**

**ORDINANCE NO. 16-09**

**“AN ORDINANCE AMENDING CHAPTER 380: ZONING BY ADDING ARTICLE XVII  
ENTITLED “UNLAWFUL RESIDENTIAL UNITS”**

**WHEREAS**, The Mayor and Council hereby determines that the use and occupancy of illegal residential apartments, as set forth above, are detrimental to the general health, safety and welfare of the Borough, and that such illegal occupancies generate the utilization of Borough services, including fire, police, sanitation, public works and general administration, and further generate the use of motor vehicles which take parking spaces and create traffic, while escaping real estate taxation. The Borough finds this to be an unfair and inequitable situation; and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to adopt an ordinance to prohibit such units and related provisions.

**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:** Chapter 380 entitled Zoning of the Borough of Woodcliff Lake is hereby amended and revised to add and create a new Article XVII entitled, “Unlawful Residential Units” and new sub article sections beginning at §380-116 to read as follows:

**ARTICLE XIV: UNLAWFUL RESIDENTIAL UNITS**

**§ 380-16. Use, Rental or payment for use prohibited.**

- A. No person, group, corporation and/or institution, shall permit the use or occupancy of any premises within the Borough of Woodcliff Lake which is used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake.
  
- B. No person shall charge, demand, receive or accept any rent or other payment for the use or occupancy of any premises within the Borough of Woodcliff Lake which is used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake. Each such charge, demand, receipt or acceptance of such rent or other payment in violation hereof shall constitute a separate offense.
  
- C. No person, specifically including but not limited to those persons commonly known as "real estate agents," "brokers" or "salespersons," shall assist, aid or facilitate in the rental, sale, use or occupancy of any

residential premises within the Borough of Woodcliff Lake which is used or occupied or intended to be used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake. For purposes of this article, the acts of listing for rental or sale, advertising or otherwise offering for rent, lease or sale any residential premises within the Borough of Woodcliff Lake which are used or occupied or intended to be used or occupied in violation of the Zoning Ordinance of the Borough of Woodcliff Lake shall be deemed to constitute a violation of this article. Any person who is to receive a commission, profit or other form of remuneration or emolument as a result of a rental, lease or sale of residential premises shall have a duty to make reasonable inquiry to determine whether or not the use or occupancy or intended use or occupancy is or will be in violation of the Zoning Ordinance of the Borough of Woodcliff Lake.

**§ 380-17. Notification of occupants.**

Within 10 days following receipt of a notice to abate an unlawful occupancy in violation of the Zoning Ordinance of the Borough of Woodcliff Lake or within 10 days following receipt of a summons for violation of this article or the Zoning Ordinance of the Borough of Woodcliff Lake or prior to the institution of dispossession proceedings to correct an illegal occupancy, whichever first occurs, the owner of residential premises within the Borough of Woodcliff Lake shall serve upon all of the unlawful occupants using or occupying said residential premises a copy of this article and shall post a copy of this article in a common area of the premises accessible to all the occupants thereof for inspection.

**§ 380-18. Violations and penalties.**

- A. Any person violating any provision of this article shall be subject to a fine of not less than \$500 nor more than \$2,000 or by imprisonment for a term not exceeding 90 days, or both, for each separate violation of same.
- B. In addition to requiring reimbursement from the owner-landlord of the structure for relocation assistance paid to a displaced tenant, and notwithstanding the provisions of Subsection A of this section, the Court may impose an additional fine for zoning or housing code violation for an illegal occupancy up to an amount equal to 6 times the monthly rental paid by the displaced person to be paid to the municipality by the owner-landlord of the structure pursuant to the provisions of N.J.S.A. 2A:18-61.1g(c). Notwithstanding the penalties provided above, a second or subsequent violation for an illegal occupancy as provided in this subsection by any owner-landlord for a second or subsequent violation, the Court may impose a fine equal to the annual tuition costs of any resident of the illegally occupied unit attending a public school, which fine shall be recovered in a civil action

by a summary proceeding in the name of the municipality pursuant to Penalty Enforcement Law of 1999, (N.J.S.A. 2A:58-10 et seq.). The Municipal Court and the Superior Court shall have jurisdiction of the proceedings for the enforcement of the penalty provided by this section. The tuition costs shall be determined in the manner prescribed for nonresident pupils pursuant to N.J.S.A. 18A:38-19, and the payment of the fines shall be remitted to the appropriate school district.

- C. In those instances where a violation of this section is based on the maintenance of residential dwelling units above the number of units permitted by the Zoning Ordinance on a particular parcel of land (e.g., the maintenance of a structure with two residential dwelling units in a zoning district where single family homes are permitted or in a premises that does not permit residential use), the defendant who is the owner of a property shall be required to permanently remove the kitchen, bathroom, bedroom, point of entrance/egress or any other offending illegal structure, appliance or fixture. The Borough Construction Official or his designee shall inspect the premises to insure that said removal is accomplished within 30 days of the date of the entry of the judgment of conviction by the Municipal Court.

**§ 380-19. Costs of moving to be borne by violator.**

- A. Any tenant who receives a notice of eviction pursuant to the provisions of N.J.S.A. 2A:18-61.2 that results from zoning or code enforcement activity for an illegal occupancy shall be considered a displaced person and shall be entitled to relocation assistance in an amount equal to six times the monthly rental paid by the displaced person. The owner-landlord of the structure shall be liable for the payment of relocation assistance pursuant to this section.
- B. The Borough of Woodcliff Lake may pay relocation assistance to any displaced person who has not received the required payment from the owner-landlord of the structure at the time of eviction pursuant to Subsection A. All relocation assistance costs incurred by a municipality pursuant to this subsection shall be repaid by the owner-landlord of the structure to the municipality in the same manner as relocation costs are billed and collected under the provisions of N.J.S.A. 20:4-4.1 and N.J.S.A. 20:4-4.2.

**§ 380-20. Finder's fee authorized.**

The Mayor and Council are authorized to enact, by adopting an appropriate resolution, a program whereby any person providing information which leads to the discovery of, and elimination of, a violation of § 380-16 of this article be paid

a finder's fee not to exceed \$500. If such a program is established by the Mayor and Council, by duly adopted resolution, the resolution shall establish the amount of the finder's fee, which shall not exceed the amount specified in this article, as well as the terms, conditions and provisions of how same is to be paid.

**§ 380-21. Restitution to Borough.**

The Mayor and Council hereby determines that the use and occupancy of illegal residential apartments, as set forth above, are detrimental to the general health, safety and welfare of the Borough, and that such illegal occupancies generate the utilization of Borough services, including fire, police, sanitation, public works and general administration, and further generate the use of motor vehicles which take parking spaces and create traffic, while escaping real estate taxation. The Borough finds this to be an unfair and inequitable situation. The Borough further determines that the harm and detriment to the Borough is difficult to measure and hereby determines that the most reasonable way to calculate the damage and detriment caused to the Borough by illegal occupancies is by calculating same as a percentage of the rental payment charged by the owner to the occupant on account of the illegal occupancy. The Borough determines that a percentage of 10% of the rent to be fair and reasonable as a measure of the damage and detriment caused to the Borough, and the Mayor and Council may authorize the Borough Attorney to recover from any person who charges, demands, receives or accepts rent or payment for such an illegal occupancy to make restitution to the Borough for the damage and detriment caused to the Borough during a period of illegal occupancy.

**§ 380-22. Findings and declarations.**

The Mayor and Council hereby finds and declares that there has been a proliferation of what are commonly known as "illegal apartments", meaning residential dwelling units which are occupied in violation of zoning laws. Most typically, these illegal apartments manifest themselves as a second residential unit in a building in a one-family zone, and a third residential unit in a building in a two-family zone. The Mayor and Council hereby further finds and declares that such illegal units have a deleterious effect on the quality of life of Borough residents, require the provision of Borough services, generate young people who attend Borough schools, increase the utilization of Borough programs and services, contribute to the costs of the Borough by increasing the generation of refuse (garbage) and sewer flow, contribute to overcrowding, generate traffic within the Borough, generate automobiles which contribute to parking shortages throughout the Borough and lead to the maintenance of dwelling units which often fail to meet health, safety and building code standards. By their nature, such units generally escape taxation as their maintenance and existence is normally hidden and not used for tax assessment purposes. The use and maintenance of said illegal apartments is also unfair to the vast majority of Borough residents who abide by zoning laws.

**§ 380-23. Declarations of policy.**

The Borough of Woodcliff Lake hereby declares it to be the policy of the Borough to eliminate all illegal dwelling units within the Borough of Woodcliff Lake and prevent them from reoccurring.

**Section 2:** 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 3:** 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 effect 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 4.** 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 5:** This ordinance shall take effect upon passage and publication according to law.

Date: June 6, 2016  
Attest: **DEBORAH DAKIN**  
**BOROUGH CLERK**

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County, New Jersey**

**ORDINANCE NO. 16-11**

**“AN ORDINANCE AMENDING THE DEFINITION OF BOARDINGHOUSE CONTAINED  
IN CHAPTER §380-6 (A)”**

Hereto introduced on the 6<sup>th</sup> day of June, 2016 at 8:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 11<sup>th</sup> day of July, 2016 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 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 introduction and passage on first reading and of the time and place when and where said Ordinance be further considered.

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake finds it to be in the best interest of the Borough and its citizens to clarify the definition of Boardinghouse contained in chapter §380-6 (a).

**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:** Chapter 380-6 (a) which gives the definition of the term “Boardinghouse” for the Zoning Code of the Borough of Woodcliff Lake is hereby amended and revised to read as follows:

**A. BOARDINGHOUSE**

— Any building, together with any related structure, accessory building, any land appurtenant thereto and any part thereof which contains:

1. two or more units of dwelling space arranged or intended for single-room occupancy, exclusive of any such unit occupied by an owner or operator, and wherein personal or financial services are provided to the residents, including any residential hotel or congregate living arrangement, but excluding any hotel, motel or established guesthouse wherein a minimum of 85% of the units of dwelling space are regularly offered to the general public for limited tenure only.
2. any resource home as defined in Section 1 of P.L. 1962, c. 137 (N.J.S.A. 30:4C-26.1)
3. any community residence for the developmentally disabled as defined in Section 2 of P.L. 1977, c. 448 (N.J.S.A. 30:11B-2)

4. any dormitory owned or operated on behalf of any private corporation
5. any dormitory owned or operated on behalf of any nonprofit institution
6. any dormitory owned or operated on behalf of any primary, secondary, higher or other education for the use of its students
7. any building arranged for single-room occupancy wherein the units of dwelling space are occupied exclusively by students enrolled in a full-time course of study at an institution of higher education approved by the Department of Higher Education
8. any facility or living arrangement operated by or under contract with any state department or agency, upon the written authorization of the Commissioner.

**Section 2:** 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 3:** 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 effect 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 4.** 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 5:** This ordinance shall take effect upon passage and publication according to law.

DATE: June 6, 2016

Attest: **DEBORAH DAKIN**  
**BOROUGH CLERK**

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County, New Jersey**

**ORDINANCE NO. 16-12**

**“AN ORDINANCE ADDING CHAPTER 411 TO THE BOROUGH CODE GOVERNING PET SHOPS  
AND THE SALE OF ANIMALS”**

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**, Borough of Woodcliff Lake recognizes that a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for (“puppy mills” and “kitten mills,” respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

**WHEREAS**, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

**WHEREAS**, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

**WHEREAS**, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

**WHEREAS**, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

**WHEREAS**, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually, including nearly 1,500 in the County of Camden. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

**WHEREAS**, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

**WHEREAS**, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

**WHEREAS**, the Borough Council believes it is in the best interests of Woodcliff Lake to adopt reasonable regulations to reduce costs to Woodcliff Lake and its residents, protect the citizens of Woodcliff Lake who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in Woodcliff Lake.

**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 411 is added to the Borough Code and have the chapter title of "Pet Shops" and shall read in its entirety as:

**Chapter 411: Pet Shops**

**§411-1 Permit Required.**

No establishment, shelter or business shall be maintained for the purpose of selling or raising for sale any animal as pets or for other uses in the Borough unless a permit for that purpose has been obtained from the Board of Health and all animals shall be kept in a suitable shelter, cages, coops or tanks. Such facilities must be kept thoroughly clean and open to inspection at all times by the Board of Health or its agents.

**§411-2 Restrictions on the Sale of Animals.**

1. A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
  - a. An animal care facility or animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations; or

- b. An animal rescue organization or other type of not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.
2. A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

**Section 2:** 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 3:** 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 4.** 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 5:** This ordinance shall take effect upon passage and publication according to law.

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

**DEBORAH DAKIN  
BOROUGH CLERK**

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June 22, 2016

Ronald A. Dario, Esq.  
343 Union Street  
Hackensack, NJ 07601

**Re: Valley Chabad**

Dear Mr. Dario:

In response to your letter to me of June 13<sup>th</sup>, I offer the following response on behalf of Valley Chabad:

1. I have been representing Valley Chabad since at least 2008 and am obliged to say that your historical background is not accurate. For example, I cannot recall any occasion when Rabbi Drizin pleaded guilty nor do I recall any municipal court summons or appearance.

2. What I do recall is this. The principal complaint of Mr. Bechtel was that there were some Saturday services involving bar mitzvahs as well as some religious holiday services were generating more attendees. Valley Chabad then transferred these large gatherings to other locations.

3. This rapprochement has existed for the last eight years without incident. It is only now, while Valley Chabad has been before the Board of Adjustment for no less than thirteen hearings, that Mr. Bechtel's concerns have been rekindled. It is obvious that his present zeal has been sparked by the neighbors who have actively opposed Valley Chabad's application. While interest parties clearly have a right to express their opposition to an application, they do not have the right to enlist governmental officials to enhance their position.

4. It is, at the very least, ironic that the Borough is complaining about the use of the existing house for Friday and Saturday services when Valley Chabad has spent well over a year trying to obtain approval for a house of worship which will adequately house religious services and the ancillary functions associated with a house of worship. See *Shim v. Washington Tp. Planning Board*, 298 N.J. Super. 395 (App. Div. 1997).

Ronald A. Dario, Esq  
June 22, 2016  
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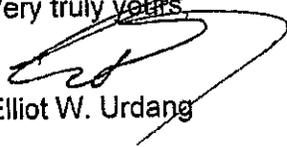
While you "sadly" bemoan the situation the Borough finds itself in, perhaps the Borough should consider the position in which it has placed Valley Chabad. Chabad, which has been in Woodcliff Lake for sixteen years, has been searching for most of that time for a property upon which a location to construct a proper house of worship. On two separate occasions, after having found suitable sites, the Borough asked Valley Chabad to relinquish those properties so the Borough could govern their use. Subsequently, when Valley Chabad went into contract with Galaxy Gardens to build a house of worship, adjacent to Our Lady Mother of the Church, the Borough, bullied by objecting neighbors who stormed the Council Chambers, decided it would exercise eminent domain to purchase the property for an unnamed use. These actions are facially discriminatory. That is not only "sad", it is shameful.

6. Valley Chabad is now reduced to building a house of worship on the only feasible property, the Rabbi's house. There have been thirteen hearings already and no end in sight. If the Borough is truly concerned about the present use of the house for services perhaps it could urge the Board to grant the variance.

7. It is quite within the realm of possibility that the Board will turn down Valley Chabad's application, despite its attempts to bring its property as close to conformity as possible. As we have made clear to the Board of Adjustment in a separate letter, if the application is denied we will proceed immediately to Federal Court based on RLUIPA and the Civil Rights Act. Both call for attorneys' fees, costs and punitive damages. I would respectfully advise that you put your insurance carrier on notice.

8. In the interim we will continue to conduct Sabbath services at our present location, which is a constitutional right in New Jersey. Article I, Paragraph 3 of the New Jersey State Constitution; *Kali Bari Temple v. Readington Bd. Of Adj.*, 271 N.J. Super. 241 (App.Div. 1994). Moreover, RLUIPA (42 U.S.C. 2000cc, prohibits governments to interfere with a person's right to religious exercise as well as the religious institution. Valley Chabad is not a membership organization. It is also the only place in the Pascack Valley that conducts services in accordance with the Jewish Orthodox ritual. It has not and will not turn away those who wish to worship at these services just as it has done for the last sixteen years.

Very truly yours,

  
Elliot W. Urdang

EWU/hs