BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
AUGUST 20, 2020
5:00 PM

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted at the Borough Hall and two newspapers, The Record and The Ridgewood News, have been notified. This meeting is being held via zoom and televised.

ROLL CALL

Mayor Rendo asked for a roll call. Council members Falanga, Gross, Hayes, Marson and Singleton were present. Borough Attorney John Schettino was present, as well as Borough Administrator Tomas Padilla and Meg Smith who was filling in for Borough Clerk Debbie Dakin. Councilwoman Gadaleta arrived at 5:25 PM.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

CLOSED SESSION

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta						X
Gross			X			
Hayes			X			
Marson		X	X			
Singleton			X			
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 20-168
AUGUST 20, 2020

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

_____6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: litigation update

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

_____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on August 20, 2020 that an Executive Session closed to the public shall be held on August 20, 2020 at 5:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated 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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Mayor Rendo stated that before we start the meeting, he wants to update everyone who is watching tonight. Over the last 10 days, the Borough Council has received, and reviewed hundreds of emails related to the proposed legal settlement with Valley Chabad. While the majority of these called for the matter to be concluded, a slightly smaller number also asked that the matter be delayed. In the interest of eliminating concerns, we have decided that we will not take a vote tonight on this matter. We have our attorneys and engineer on hand who will offer a presentation on the matter and questions that have been raised by the public. As with any legal issue, there are some points that we cannot discuss publicly. We do want our residents to be as comfortable with the actions of this body that you have elected us to take. Our intention will be to act on this matter next month. More than likely, the meeting will be held virtually in efforts to maintain the health and safety of our community. COVID-19 ushered in a world dynamic when it comes to how local governments function, especially from the perspective of the public participation. As you can see, most of the Council members are not physically present in this room. We just do not have the space to maintain state mandated social distancing guidelines. If after the presentation you have any comments, we will open it up for public comment and offer you an opportunity to speak as if we had all been together.

VALLEY CHABAD PRESENTATION – led by Henry Klingeman, Esq. and Brent Pohlman, Esq.

Mr. Klingeman stated that he is an attorney and it is his privilege to represent Woodcliff Lake in the Department of Justice matter. Mr. Klingeman will give more detail about that case and where we stand. Mr. Klingeman stated that the Mayor, members of the Council, officials of the Town, Town attorneys who work for the town and the Zoning Board, have all put in a tremendous amount of work so far and it happened largely out of sight because that is the way these things work. Litigation is conducted generally in confidence except for public events at the courthouse and the participants on the litigation on the Woodcliff Lake side are forbidden from talking about it. We received a lot of inquiries from residents wanting more information and some folks expressed concern that there hasn't been information up until this point, but that it actually the way it is supposed to work. There was a lot of concern about this meeting taking place tonight with a vote to follow. There was some concern that it was done on short notice. There was some concern that it was done in August when people are on vacation or concerned with other things other than town business. Obviously, it is not the intention of anybody to do this in a manner which is less than transparent. The fact is it would have been inappropriate, and it remains inappropriate for the Mayor, Council members, attorneys for the Town and people surrounding this case to speak about it publicly. Tonight, will be an informational session. Mr. Klingeman will talk about the case and Brent Pohlman who is working on the case that Valley Chabad brought separately will also be presented to you. We will take as many questions as we can for as long as possible to nobody feels that their voice has not been heard. Mr. Klingeman stated that he wants to set the tone for the evening. The Mayor, the Council, the attorneys, and all the participants that have been working with Mr. Klingeman over the last 2 years have worked very hard to do the best for this town. Almost all of them are residents of the town and very conscientious about the town's well-being. You can rest assured that however they decide to vote or advocate here, everybody here has the town's best interests in mind. Members of the public that will be calling in and asking questions or making phone calls, please do so in that same spirit of good faith. People may disagree about this matter, but everyone wants the right thing for Woodcliff Lake. What makes this case unique, is the participation of the United States Department of Justice. United States Department of Justice brought a lawsuit under the Religious Liberty Act called RLUIPA. The Department of Justice brought the lawsuit and that is what makes it unique. In the life of the town like Woodcliff Lake, the prospects of being sued by the Department of Justice are one in a million, it almost never happens, and you can certainly hope it never happens again. The Department of Justice when it initiated this lawsuit included public statement by the then Attorney General of the United States. Very unusual. In this case he speaks out very rarely about individual towns in New Jersey. When you have the attention of the Attorney General and the Department of Justice and its group of very capable lawyers with their unlimited resources, that puts this case in a unique posture. Mr. Klingeman was asked as himself, a former assistant United States Attorney, someone who tries cases in the Federal Court and litigates over the last 25, to come in and represent/defend Woodcliff Lake and ultimately settle this case if possible. Mr. Klingeman stated that he has yet to talk to any person on either side of this case that wants to litigate it all the way to trial and beyond.

The proposal that is before the Mayor and Council is a settlement. Mr. Klingeman wanted to remind everyone, lawyers and non-lawyers alike, that a settlement is a compromise. It is neither a declaration of victory nor defeat. Settlement avoids negative findings or illegal judgement against Woodcliff Lake. It saves money and it potentially resolves the matter once and for all at relatively an early stage of the case. Settlement doesn't permit a vindication of the Town's position. It doesn't allow any vindication of the Valley Chabad's position and it doesn't allow vindication through the Department of Justice's position. Nothing in the settlement involves anybody being found liable or not liable. If you want a judgement, if you want a verdict, then you must litigate and that means taking discovery, gathering evidence through depositions, extensive documents, it involves motions, motions for discovery, motions for summary judgement, ultimately potentially a trial in court, possibly before a judge. In the DOJ case it would be a trial with a Judge but potentially a trial with a jury as well and any case brought by Valley Chabad. Any trial is subject to an appeal. We know if we litigate this case, we can be having the same conversation 6 or 7 years from now. In addition to all those practical steps, litigation involves uncertainty. Who knows what the outcome will be? Who knows what the Judge will think about the case or jury ultimately? It involves unexpected developments. Things happen that nobody anticipates especially during a deposition. It also involves adverse publicity. Litigation also involves a tremendous cost. In a case of this magnitude, Woodcliff Lake is going to attorney fees to its own attorneys and should it lose, in any way, shape or form, the private action, it will pay the attorney fees of Valley Chabad as well. Then there will be the cost of expert fees and there could be a judgement against the town. This will result in the town having to deprioritize other things. These are fiscally challenging times and elected members of this body and taxpayers are going to have to decide what do you want to spend your money on. Remember, if you settle you compromise. You are probably paying more than you would like to pay. You allow the other side to get something it wants and something that you don't want it to have. That is true of Woodcliff Lake and if we settle, that is true of Valley Chabad if it settles and that is true of the DOJ if that settles. One of the complaints that was received was that we should have this meeting after COVID is over. Mr. Klingeman stated that that is an impossibility. We cannot wait for a vaccine. We cannot wait for it to be safe to gather in the dozens or hundreds to move this along. The Federal Court has set deadlines. The Federal Court has set obligations. We must continue with the case and if we don't settle the case, we are going to have to go into the next phase of the case which involves an escalation in activities and an escalation in the cost of the case.

This approval process is one that the town takes any time there is a legal claim and any time there is a potential for settlement. It's a chance for the Mayor and Council to announce to the public the general parameters of the proposal, to debate that, to take community input and then to decide to approve or disapprove it. This is not a Referendum. If you want to be heard on this issue, send an email, make a call or participate this evening. If you are unsatisfied with the outcome, you go to the polls in November and you can run for Council yourself. This is democracy in action. Do not mistake what is happening here for some kind of conspiracy to pass this thing without your input. This is happening exactly the way the legal process in New Jersey obligates the Mayor and Council to operate. Nobody is going to be completely satisfied with the outcome. If this is approved, if this facility is ultimately built, I am sure the immediate neighbors are going

to have concerns. The Mayor, Council and Town Officials and Valley Chabad will do what they can to address and alleviate those concerns. That is natural in any development situation that the immediate neighbors' concerns are elevated and must be considered. On behalf of Woodcliff Lake, Mr. Klingeman stated that he is privileged to represent Woodcliff Lake, but he welcomes the opportunity to fully litigate this case. He feels that the way the Town acted is largely appropriate.

Mr. Klingeman stated that there are 2 lawsuits. In one of the lawsuits, Valley Chabad is the plaintiff against Woodcliff Lake. That is being handled by Brent Pohlman, Esq. The second lawsuit was brought by the United States Department of Justice against the Borough of Woodcliff Lake and Mr. Klingeman is the counsellor of record for Woodcliff Lake. The proposed settlement terms in the Department of Justice lawsuit, which ultimately if agreed upon by the Mayor and Council and the Department of Justice, will be reduced to writing and available to you. Right now, there are proposed terms and that will be discussed. It would ultimately involve the site plan that has been negotiated between Valley Chabad and Woodcliff Lake to result in construction. There are several steps that need to take place outside of Woodcliff Lake before that process of actual construction, shovel in the ground, can begin. Mr. Pohlman will address some of that. If the site plan is approved through a settlement process and construction is anticipated, then the Department of Justice will agree to several settlement terms. The Zoning Board will be dismissed as a defendant, which is a benefit to the Zoning Board. In addition, although the settlement agreement will contain what are called recitals that lay out the allegations that the parties have made and the DOJ has made and some factual background about the case, we make it clear that there are no admissions of wrong doing by Woodcliff Lake. No acknowledgement that anything Woodcliff Lake did in any way, shape or form was a violation of law and there will be no findings to that effect. That is a tremendous benefit given the fact that the allegations against the Town in the DOJ lawsuit are quite serious. In addition to allowing the site plan to be developed, as negotiated between Valley Chabad and Woodcliff Lake, Woodcliff Lake would have several other obligations. Woodcliff Lake would have to agree in advance never to violate RLUIPA. Woodcliff Lake already takes the position that it doesn't violation RLUIPA and it never has violated RLUIPA and it never intends to violation RLUIPA. In addition, the settlement would require us to provide notice to the public about RLUIPA and its provisions and its protections. And like any civil rights law, the Town would be practicing good government should it publicize RLUIPA and let its citizens know that there are these protections. Woodcliff Lake would set up an explicit procedure by which people who feel that their RLUIPA rights may be infringed upon can make a formal complaint. That is something that already exists as anyone in town is free to come forward now and speak to the Municipal authorities and explain their circumstances. We will continue to maintain our records concerning RLUIPA, concerning this litigation. Any future RLUIPA related concerns will be recorded and maintained for anyone to review. The settlement agreement would include provisions if either side were violating it. We would go to the court and ask for the Judge to intervene and likewise and significantly the settlement agreement would include a provision that its presumptively supposed to last for 4 years. In other words, the Department of Justice would expect periodic reports over a 4-year period to be submitted to the court about RLUIPA compliance. But, if Woodcliff Lake demonstrates in any time less than 4 years that it is compliant, not only with the settlement

agreement but continuing to comply with RLUIPA, we can ask that the settlement period be shortened and less than 4 years. Those are the terms of the DOJ settlements as its conceived. Should it be approved it will be reduced to writing and made available to the public for review.

There would be no admissions of wrongdoing. Woodcliff Lake would, could and should continue to maintain that it is active in compliance with not just RLUIPA but all applicable laws. The obligations being imposed on Woodcliff Lake by the DOJ would be simply to continue to follow the law and practice good government when it comes to RLUIPA. We are not being chastised or punished in any way for the way we conducted ourselves historically. If you are expecting a perfect outcome you are not doing to get it through a legal settlement. With the alternative to a settlement being litigation where the outcome is uncertain, when the cost of litigating is higher than settlement, win or lose, and the cost of losing litigation is potentially stratospheric, settlement is something that not only the public, but the member of the Mayor and Council should be obligated to consider.

Mr. Klingeman asked that questions are saved until after Mr. Pohlman has a chance to explain the private party side of the case.

Mr. Pohlman thanked everyone for participating in this matter electronically. Mr. Pohlman stated that the purpose of this evening is a presentation and listening session and comment session so that your elected officials can hear your concerns and you could seek responses from the professionals who have been involved in representing the Borough. The Mayor and Council are not in a position tonight to comment on the allegations, merits or on defenses or give their reasoning for their deliberative process in any decision they may have reached. The reason for that is simple – this is active litigation. The private action Valley Chabad lawsuit began in 2016 when a 9-count complaint was filed in Federal District Court. Mr. Pohlman stated that his firm was retained in July of 2018 to assume representation. For purposes of the cause of action, the litigation was triggered by the 2016 denial of the Valley Chabad's land use application, but, and more importantly, from Valley Chabad and the Rabbi's perspective, its conflict began long before 2016. Long before any current members of the Governing Body were sitting and sitting this Borough. The members of this congregation feel that they have been fighting and challenged at every turn since they first fought to expand in 1998. Mr. Pohlman is not offering that any of their allegations are valid, to the contrary, with his colleague, that everything that he has learned in this litigation demonstrates that the municipality was not in any way discriminatory. Mr. Pohlman brought this up because he wants everyone to understand where the Plaintiff is coming from. While we as Borough representatives and citizens may look at this as a one-off land dispute, to the Plaintiffs this is much more. To these Plaintiffs, this action is about perceived continuation of rejections and delays that goes back decades. To these Plaintiffs this litigation is about perceived hostility. Again, Mr. Pohlman is not stating that this is true, valid or accurate or trying to give any credibility to these allegations. It is important to understand because understanding with perspective you gain a better understanding of this position that they are taking. Mr. Pohlman stated that since his retention, the Governing Body, this Governing Body, prior Governing Bodies, have directed them to obtain the best possible result for all of Woodcliff Lake. From a defense perspective, that means not just serving as zealous litigators, but also

analyzing the case from a risk management perspective. The statues under which these claims are made provide for compensatory damages, punitive damages, and attorneys' fees and costs. It is important to note that in the State of New Jersey there is no insurance coverages for punitive damages. To obtain a large verdict, a Plaintiff does not need to prevail on all or even most of their claims. In fact, under RLUPIA a Plaintiff does not even have to prove discriminatory intent. There is a theory of liability, one that is being put forth in this case, that allows a Plaintiff to prevail even if it can demonstrate that an Ordinance, rule or regulation of practice presented a substantial burden to the free practice of religion. These cases are extremely fact sensitive and involves thousands of pages of documents, many depositions and multiple experts. There is typically a significant amount of motion practice before the court and lengthy trials. The attorney fees on both sides are very high. In the cost of defense, potential damages are always a factor in determining your litigation strategy. Mr. Pohlman stated that he is proud that this Governing Body and this Council has always recognized its fiduciary responsibility to protect the present and future economic position of this Borough. Eventually they reached a point where the Federal Court began to facilitate settlement discussions. Many members of your Governing Body were required by the Magistrate Judge to appear in person in the courthouse for this discussion. During those discussions, the Council never wavered in its commitment to do what was best for the Borough. To be clear, the Governing Body has never questioned whether Valley Chabad's presence in the Borough is beneficial. Every time over the past 2 years Mr. Pohlman has heard every single member of the Governing Body talk about the important role that Valley Chabad plays in the community and positive impact that it has. The question for this Governing Body has always been if the Borough could make a financially sound decision and allow a building that addresses the community's concerns while mitigating a large potential liability. Mr. Pohlman went over the methodology that was used in the settlement discussions. The Governing Body did not get hung up on square footage. Rather the Governing Body's focus throughout this matter was on the use, more importantly the impact of the use on the rest of the community. They focused on stormwater runoff. They focused on lighting. They focused on parking. They focused on occupancy and building height. They focused on the issues that impacted the community as a whole. All those items were addressed and improved from the initial plan to the proposed current conditions. Square footage is not a direct impact on a community as a whole. If we go back to the application to the Zoning Board of Adjustment. Valley Chabad had proposed building approximately this size and then scaled it down for the reason they say was an effort to obtain approval. As we know, that proposed reduced project was denied. When Valley Chabad came to the negotiations table, from the prospective, they weren't starting with their compromised project, which was rejected. They were starting from what they had initially sought to achieve. That is why we must understand prospective when we discuss settlement and goals. The proposed settlement would have an occupancy of 225 people and 75 parking spaces which satisfies the Borough's Code. Having enough parking for occupancy will eliminate the need for an on-street parking on adjoining streets. There will be some days where more congregants will want to come. The Borough is allowing up to 10 swell days where occupancy would be able to swell up to 324 people. However, on those 10 days, Valley Chabad would be obligated to advise the Borough in advance and provide for additional needs. At this point Valley Chabad has proposed that it would temporarily obtain spaces in a parking lot and arrange for transportation demonstrating the commitment to have a less impact on the community around them. This

project also has some contingencies associated with it. The main contingency is that the approval of the NJ Turnpike Authority is required because the stormwater runoff plan requires connecting to the NJ Turnpike Authority's infrastructure. Depending on how that request goes could impact the overall development of the site. That is something that is addressed prior to construction. At this point we are looking at 75 on-site parking spaces for the maximum occupancy of 225 and 10 swell days that can go up to 324. There would be a 40-foot height limit using the methodology set forth in the Borough's code. There would be no rooftop deck allowed and the retaining wall would have to be 5 feet off the rear property line as per Borough code. Soil testing would be done to demonstrate if the stormwater runoff plan is feasible and that the soils are suitable for construction. Valley Chabad would be required to comply with the NJ Turnpike Authority's requirements.

There is also a financial component to this project. The reality of all these types of cases is that there is a financial settlement. Institutions of any type are not going to allow a perceived violation of their rights to take place and not exercise their rights under the law to seek revenue. Valley Chabad has been members of this community for decades. We cannot ignore that in many instances it is the potential financial liability that motivates public entities to settle matters and the effective statutes provide for such a level of recovery of damages that it encourages settlements. In this case the settlement agreement provides for a financial settlement payment in the amount of $1.5 million. $900,000 of that would be paid for by various insurers. The remaining $600,000 would be paid by the Borough but the Borough's Risk Management for the insurance group would pay it upfront and allowing the Borough to pay it back over time at a very minimal interest rate over a 5-year period. For perspective that $600,000 is likely less than what it would cost to defend both the DOJ action and the private action even if the Borough won. From a cost benefit analysis, this proposed settlement makes 100% sense. In conclusion, the Borough has gotten to a point where there is a proposed settlement that allows the Borough to put this matter behind it at a cost that is less than the cost of defense of both matters through trial. We have negotiated a site plan that addresses the key issues of the runoff, parking, safety and lighting. Mr. Pohlman stated that it is his professional opinion and recommendation that when weighing the risks to the Borough vs. the impact that this settlement would have, the scales weigh heavily in favor of this settlement which is why he is recommending it.

Tomas Padilla, Borough Administrator, stated that Evan Jacobs, Borough Engineer, is on zoom and will share the site plan on zoom. For those not on zoom but watching on cable, you can go to the Borough website and see the plans on there. After Mr. Jacobs speaks, we will open it up to the public for comment. We will take all questions first and then they will be answered at the end.

Evan Jacobs, Borough Engineer, went over the site plan that was submitted. Mr. Jacobs confirmed that there are 75 proposed parking spaces located around the property. There will be an asphalt driveway that circles the building. The proposed building footprint will be approximately 8500 square feet. From Overlook Drive, the building will be a 2-story building; however, the rear of the property slopes down significantly and there will be a little bit of a lower level. The architectural plans are also on the Borough website as well. The proposed

development will be built on a steep slope. In order to overcome the elevation change, the applicant has proposed to construct retaining walls on three sides of the development. The grade will be raised in some locations as much as 20 feet. There are inadequate storm drain facilities in Overlook Drive. The proposed stormwater will ultimately be disposed through proposed system that will connect to the NJ Turnpike Authority's line. That system is contingent upon receiving approval from the Turnpike Authority. Mr. Jacobs went over the landscaping plan and elevations.

Mayor Rendo stated that we are going to open it up to the public. For those on zoom, they will ask questions first. Those watching on television will call in after all comments and questions are done from those participating on zoom.

PUBLIC COMMENT
(limited to 3 minutes per speaker)

MOTION to open to the public was made by Councilwoman Gadaleta, second by Councilwoman Gross and unanimously approved.

Tony DeVito, Woodcliff Lake, stated that it seems to him that the way these attorneys are presenting this case explicitly to accept this compromise seems a little bit disjointing. It is referred to as a compromise and he is looking at this application as its presented. If this was not a religious institution would this application be acceptable. Could the Mayor and Council meet in person for the next meeting.

Mr. Seibel, Woodcliff Lake, asked how high does this building rise above the roadway, Overlook Drive.

Michelle Shill, Woodcliff Lake, stated that the building looks beautiful, but she is worried about traffic and parking.

Andre Dimino, Woodcliff Lake, stated that he agrees with the attorneys that it is better to settle than any type of litigation but with regards to settlement there is some form of compromise. With the $1.5 million cost and the 20,000 sq. ft. building with 9 variances and all the other changes he would like to hear what the alternatives were if this was a settlement or compromise.

Richard Schnoll, Woodcliff Lake, stated that it seems to him that this current proposal is significantly worst for the town than it would have been if we came to some resolution with the Valley Chabad in 2016 on their reduced sized proposal. What is the rationale for the denial from the Boards back 3 and 4 years ago to push this into litigation?

Mr. Siegel, Woodcliff Lake, asked what the provisions are being made for pedestrians walking on Overlook and the side streets and what cost if there to the Town to protect these people when they are parking somewhere else.

Diane Audino, Woodcliff Lake, stated that it was mentioned before that there is no roof deck, but she looked at the plans and thought she saw a very large roof deck. There is a tremendous safety concerning pulling out of Mill Rd. Extension and did anyone check with the Police Chief regarding this matter. Additionally, she is very concerned about parking.

Clifford Levy, Woodcliff Lake, stated that he understands that this is now a Religious Rights issue, but they are using this building not just for religious purposes, they are using as a community center, a school and other purposes. When the Rabbi gave testimony, he stated that it would be used as a catering hall for weddings, bat mitzvahs, etc. and it showed that there will be tables set up. There was a roof deck on the plan and there is going to be a lot of sound from these events and sound travels.

Laura Jeffas, Woodcliff Lake, asked how high the retaining wall is, if there is a commercial kitchen and how many people would that kitchen be able to accommodate.

Yolanda Semelsberger, Woodcliff Lake, stated that she is concerned about runoff coming across the Parkway. When would the Borough know if the Turnpike Authority approves the drainage plan?

Joshua Stern, stated that this settlement seems far worse than where we started. What are the attorney fees to date? Is overnight housing allowed? Will this be enforced by the town?

Mary Offer, Woodcliff Lake, stated that this proposal is their dream wish. Where is the compromise? Is their any contingence if NJ Turnpike does now give approval, will the Borough get their money back?

Michael Casale, Woodcliff Lake, stated that there is a safety concern with pedestrians walking on Overlook Drive. Are there going to be sidewalks? Is this facility just for New Jersey residents?

Leslie Maltz, Woodcliff Lake, stated that this was a very well-presented information session. Will the approval of this plan be discussed by the parties and will the proposed settlement include future litigation against the Borough by parties not included in the grievance, including neighboring property owners?

Randy Mintz, Woodcliff Lake, inaudible

Katherine Hanna, Woodcliff Lake, asked why did the residents hear about this so late and why is the Council voting tonight? The proposal is bigger that what was submitted so where is the compromise. Mayor Rendo replied that this matter will not be voted on tonight.

Randy Mintz, Woodcliff Lake, you mentioned to having address some issues such as soil, light, water runoff, etc. Is there any consideration being made for the removal of 85 trees and the noise barrier those trees currently provide for the Parkway noise for residents who live near the location? Can the Borough appeal to the Turnpike Authority?

Tella Banker, stated that this strikes as a leverage compromise as the settlement is twice as large than the original proposal.

Phone Calls

Eugene Quigley, Woodcliff Lake, stated that the characterization of the settlement is disingenuous. When will the vote happen?

Joseph Hofmann, asked what the total ancillary operating costs are. Asked for a before and after picture of the neighborhood. Will there be sidewalks and traffic lights.

Roberta Green, Woodcliff Lake, asked why the Justice Department got involved. Why would the DOJ ignore safety concerns of residents? This is not an issue of discrimination but of an overdevelopment. Where is the compromise with the Chabad?

Bob Fischer, Woodcliff Lake, stated that this is a very difficult process to listen to and participate. The format is poor. The settlement should be give and take.

Kelly Kosoff, Woodcliff Lake, asked if the site plan will go back to the Zoning Board at any point. When will the vote take place?

Leslie Maltz, Woodcliff Lake, congratulated the Council, attorneys and the entire knowing that the conclusion does not satisfy anyone, and it is the best we can do under the circumstances. The settlement is better than an open-ended litigation.

Mr. Ballcap, Woodcliff Lake, asked why the attorneys are refusing to take this matter to court?

MOTION to close to the public was made by Councilwoman Gadaleta, second by Councilwoman Gross and unanimously approved.

Any other questions can be sent by email to Debbie Dakin, our Borough Clerk at clerk@wclnj.com.

PROFESSIONALS' ANSWERS TO QUESTIONS

Mr. Pohlman stated that several questions were about how the use would relate to parking and the impact on the community and about pedestrians. When the Governing Body endeavored to attempt to see if a resolution could be negotiated, rather than focusing on the square footage, they focused on impact to the community. The first issue that would manifest is parking and on-site parking. The more on-site parking you have, the less need there would be for off-street parking and less pedestrians. A conservative estimate is that right now on the 100 Overlook property there are approximately 30 parking spaces. In negotiating, one thing that the Governing Body insisted on was addressing this issue and bringing up enough on-site parking for occupancy. Those are tied together. Per our Borough Code, we determined that for this type of use, it is

appropriate to have 1 spot for every 3 occupants. We insisted on that. There are now 75 parking spaces with an occupancy of 225. There is enough on-site parking, and nobody should have to park on the streets.

There was also a question about use other than a religious use. It is important to understand that the law recognizes that there are activities ancillary to religious services that are part of the free practice of religion. No matter what your faith is, your House of Worship has meeting rooms, has gathering halls and places where people can support each other. Events goes back to occupancy and there is an occupancy cap of 225 except for the 10 swell days. The Borough of Woodcliff Lake does not place limits on who can attend a House of Worship. House of Worships are open to all who wish to worship there. There was a resident that resides on the east side of the Garden State Parkway and raised questions about the drainage issues, particularly stormwater drainage. She was concerned because her property has an easement for NJTA. Mr. Pohlman asked Mr. Jacobs to walk us through what residents that live in that neighborhood and residents that live near the brook, what impact, if any, would this proposed site plan and drainage plan have on those residents. Mr. Jacobs stated that there would be less stormwater drainage with this proposal than what is existing today. This is happening because of the new large retain basins. If this does not receive approval from the New Jersey Turnpike Authority, they will have to go back to the drawing board and come up with another solution for their drainage. Mr. Pohlman stated that there was another concern with the number of trees being removed and the Garden State Parkway does create noise. Mr. Pohlman asked Mr. Jacobs, Borough Engineer, if he had an opinion for the residents in that area from the current condition to the proposed condition. Mr. Jacobs stated that he is not a sound engineer; however, if the entire project would be to clear-cut the woods and remove the building there would be excessive sound from the Parkway up the street and to the Mill Road Ext. area. However, one of the benefits is that the new structure will have much more of a sound barrier than the single-family home and trees that is there now. Mr. Pohlman stated that some residents when reviewing the plans appeared to read the plans as reflecting a roof-top deck. Mr. Pohlman asked Mr. Jacobs to please clarify as to whether the plans as drawn posted for the public to review have a roof-top deck. Mr. Jacobs stated that the plans on the website show a courtyard on level 2 of the building which is above the ground floor but is not on the roof of the structure. It is approximately at the same elevation of the main floor. It is not a rooftop deck. Another resident had inquired as to how high does the building rise above Overlook. Mr. Pohlman stated that what he suspects is that the resident meant was from Overlook, what is the perceived elevation. Mr. Jacobs showed the architectural plan on zoom. Mr. Jacobs showed where the finished floor elevation would be. Mr. Jacobs stated that it is at grade or the same elevation as Overlook Drive. If you were standing on Overlook Drive, you would basically see a two-story building with a roof on top. The total height of the roof ridge from that elevation is 30 feet 4 inches and that is from the finished floor. Mr. Pohlman stated that a resident had questions about traffic, particularly getting in and out of this site. Mr. Jacobs stated that the applicant had prepared a traffic engineering report that indicated that the highest single hour of any activity going on at the site would generate 81 trips. A trip meaning in or out. That doesn't mean that there will be 81 cars total coming into the property all day. It means the highest peak time. The traffic engineering utilized the land use codes specifically for a synagogue which is not the same as a church. Per the report it can handle the traffic. Mr.

Pohlman stated that with respect to the financial component there was a resident had a question as to whether the money is directed towards anything. The answer is that in the settlement that they are discussing the answer is no. We would not be able to direct how the money is spent. Mr. Pohlman stated another comment was is there a construction contingency. While there was no final pen to paper signed agreement at this point, Mr. Pohlman stated that a settlement agreement involving this matter would have a contingency if the project is not built that the Borough would still have all of its releases and would be protected from liability and would retain all of the benefits of the settlement agreement. Mr. Pohlman stated that there was a question as to when there would be a response from the NJ Turnpike Authority. Mr. Pohlman stated that that is out of our control and out of the Valley Chabad's control. Another question was if we could appeal to the NJ Turnpike Authority. Mr. Pohlman stated that he is not sure if he understood this question correctly but to clarify, the Borough, if it were to resolve this, would be endorsing this project. The Borough would never take any steps to undermine the settlement that it negotiated in good faith. Mr. Pohlman stated that a number of questions that came up were sort of related, and he addressed in his opening statement, as to why are we at this square footage when a plan that was rejected by the Zoning Board of Adjustment was at 12, 500. In 2016, Valley Chabad's initial application was for a project significantly larger than 12,500 and Valley Chabad eventually decided to reduce the proposed building size in an effort to gain approval. When they began the litigation and when we started negotiating settlement discussions, their position was that they tried to compromise and now we are negotiating from our original request from what we wanted. Additionally, the Governing Body tried not to focus on square footage since square footage doesn't really affect anybody's life in the area. The things that impact neighbors are stormwater runoff, parking, occupancy, lighting and this Governing Body was insistent that those quality of life, safety and engineering issues are not compromised. We received a proposal that is safer, that has far less impact on the neighbors because of parking, stormwater runoff and lighting. Mr. Pohlman stated that he would say the compromise is that the Borough succeeded in obtaining a project that has no negative impact on the neighborhood, environment downstream, and is an improvement from a parking and safety prospective. Mr. Pohlman asked Mr. Jacobs if there was any type of decorative wall along Overlook and if it has an elevation to it. Mr. Jacobs stated that the only improvements along Overlook Drive is the landscaping. There will be a continuous row of shrubbery and will block quite a bit of the parking lot once matured. There will also be approximately 7-8 shade trees that are to be planted. There is no wall along Overlook Drive. Another question raised was about overnight parking. Mr. Pohlman stated that the Borough has overnight parking rules and those will be in effect. As far as future hard costs, from a Borough prospective there is no anticipated improvements that the Borough is planning on making. There should be no costs to the Borough associated with this. The use of this property is not changing. Mr. Pohlman stated that he has no idea how much this building is going to cost to build. We are not cost estimators and it is not the public entity's concern as to what the cost would be to a property owner who wishes to develop it. The vote is expected to take place on September 14, 2020. Mr. Pohlman stated that if the farm next door becomes available, it is up to Valley Chabad if they consider purchasing it. Mr. Pohlman stated someone brought up the fact that they felt the perception as to why is the hearing so late. Mr. Pohlman stated that it really isn't late. It is done appropriately form the timelines of how these matters evolve. This Governing Body understands and respects the residents' concerns of

limitations and participation during these COVID restrictions, but unfortunately our State and Federal courts are not willing to let matters wait. We all must adapt as to how we gauge business. That is why residents could participate on zoom, call in or email in and get the necessary responses. All appropriate timelines and notifications have been provided. Another question was regarding why the attorneys are refusing to take this case to court. Mr. Pohlman stated from his prospective he certainly is not refusing to take this to court. From an attorney's prospective, we go to trial and we litigate cases. We were preparing this case for litigation and then settlement discussions were initiated and a proposal came about that was in the Borough's financial best interest, as well as provide for a development that met the core criteria that the Governing Body wanted to protect. Mr. Pohlman also stated that the only people bound to a settlement agreement are those that sign it. That will be the Department of Justice, Valley Chabad and the Borough of Woodcliff Lake.

Mayor Rendo stated that Mr. Fischer asked if the Borough consulted with a firm from Massachusetts which is a firm that specializes in RLUPIA and the answer to that question is yes.

Mr. Klingeman stated many do not view this as a compromise and he hears them. There is plenty of compromise in this case. But more than compromise, Woodcliff Lake is placing its interests and the interest of its residents above further litigation should this settlement be approved. That is the benefit for Woodcliff Lake. A lot of people mentioned square footage and Mr. Pohlman explained that square footage is not the most reliable metric for measuring the propriety of this design and there is a list of very specific metrics, both engineering and otherwise, that were discussed. Mr. Klingeman stated that the compromise that Valley Chabad has made is committing itself to a structure that is within the metric set by Woodcliff Lake, its Mayor, its Council, its engineers. Mr. Klingeman stated that the Mayor and Council has considered all consequences. Mr. Klingeman stated that the Department of Justice, with its national profile and unlimited resources, highly skilled attorneys and a mandate from the Attorney General to pursue the RLUPIA lawsuit is a problem that is not going away. Yes, we can litigate it, but at what cost. If Woodcliff Lake were to approve this proposed settlement, it would be enjoying the benefits of saving not only financial costs, that we explained would be significant even if Woodcliff Lake were to win in court, but there are the non-financial costs. Those of you that are opposed to this or very concerned about this, hopefully you listened to the potential consequences and it would be actual and realized consequences. It is the negative publicity and unexpected developments. Mr. Klingeman stated that he would welcome the chance to defend Woodcliff Lake in court, but at what cost. We tried to answer most or all the questions that were asked. Mr. Klingeman stated that there was a question as to why the DOJ became involved and he does not know the answer to that other than this dispute with Valley Chabad has persisted for some time. It led to Valley Chabad exercising its right under the Federal Statue to file a lawsuit in its own name. At some point that effort attracted the attention of the DOJ of New Jersey and Washington. It happens and it changed the complexion of this dispute and elevated it to a different level. Another question is why the vote must take place as soon as September 14, 2020. Why was this sprung upon the town at the last minute, how there is insufficient time to consider it, how we need a public meeting where people can attend in person. These are all totally legitimate questions and concerns. In an ideal world, everybody would know everything with unlimited

amount of time to think about it and there could be a public meeting at which time people could be heard. Those things are not possible, and we cannot wait for the end of COVID and we must follow the pace of the case. There have been no depositions taken. The reason why this vote must take place in 3 weeks because it hasn't taken place since we reached an agreement around the material terms of the settlement last fall. Federal Court is very eager, Valley Chabad is very eager, and the DOJ is very eager for Woodcliff Lake to vote upon this. The hope is that it will be approved, and we can go to the next phase.

Mayor Rendo thanked all those who participated. Our next meeting will take place on September 14, 2020. We do have a public session on this date. The Mayor and Council and attorneys have received and read all emails. If you have any other questions, please email our Borough Clerk, Debbie Dakin, at clerk@wclnj.com. Ms. Dakin will send the emails to the Mayor and Council and the attorneys. The Mayor and Council is following the advice of our attorneys.

Mr. Pohlman, Mr. Klingeman and Mr. Jacobs left the meeting.

APPROVAL OF MINUTES

Motion to approve the Minutes of June 25, 2020 (Open) was made by Councilwoman Gadaleta, second by Council President Singleton and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilman Marson and Council President Singleton.

Motion to approve the Minutes of June 25, 2020 (Closed) was made by Councilwoman Gadaleta, second by Councilwoman Gross and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilman Marson and Council President Singleton.

Motion to approve the Minutes of July 9, 2020 was made by Councilwoman Gadaleta, second by Councilwoman Gross and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilman Marson and Council President Singleton.

Motion to approve the Minutes of July 13, 2020 was made by Councilwoman Gadaleta, second by Councilwoman Gross and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilman Marson and Council President Singleton.

FIRE DEPARTMENT APPOINTMENT

- Appointment of Timothy Dinnell as a member of the Woodcliff Lake Fire Department
- Appointment of Max Benjamin Stupak as a member of the Woodcliff Lake Fire Department

MOTION to appoint Timothy Dinnell and Max Benjamin Stupak was made by Councilwoman

Gadaleta, second by Councilwoman Gross, and unanimously approved.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that he will make it very brief, but he wants to give a shout out and thank you to our police, fire, OEM Director and DPW for the fantastic job they did during this past storm. It was very difficult. There were several areas that were very highly affected and there was a lot of frustration. The Mayor and several council members were actively involved in making sure that we got help to what we needed. There is still some clean-up to go. Thank you to all the residents with the help that they provided. We continue to open the lower lot at the Ecology Center for brush and storm debris. That will stay open every day from 8:00 AM to 1:00 PM and Wednesdays from 8:00 AM to 7:00 PM for anyone to drop it off until September 2, 2020. We are doing pick-up on the streets and cleaning the roads. The brush and storm debris are being picked up by zone. We have already done Zone B and Zone C. Next Wednesday will be Zone D and the following week it will be Zone A. If your zone has already been picked up, please do not put it back out. It will not be picked up any time soon. PSE&G contacts were very responsive to a complaint. Hopefully this will be the last Resolution for remediation for Galaxy Gardens so we can close it out and get the money that was granted for that project.

COUNCIL REPORTS

Councilwoman Gadaleta thanked Timothy Dinnell and Max Stupak for volunteering to join our Woodcliff Lake fire department. They had 35 calls over the past month, 140 man and woman hours. Twenty-three calls alone on August 4, 2020 and August 5, 2020, during and after the storm. Thank you to our DPW, they did an outstanding job. They don't stop. They were there at 5:30 AM and worked until after 7:00 PM at night. There was a very, very small wedding in town and it was bad enough that the bride and groom couldn't have the wedding of their dreams, then they planned on having at their home. It turns out the storm happens and there are branches and debris all over the place. A call was made to our DPW and they got there and removed everything that was falling in the street so that all the guests could come and have the best wedding possible. It is that personal touch that makes Woodcliff Lake wonderful.

CORRESPONDENCE

Introduction Ordinance 20-03
An Ordinance to Amend Chapter 326 Entitled "Streets and Sidewalks" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to introduce Ordinance 20-03 was made by Councilwoman Gadaleta, second by Council President Singleton and unanimously approved.

CONSENT AGENDA

MOTION to approve the Consent Agenda was made by Councilwoman Gadaleta, second by Councilwoman Gross and unanimously approved by voice call vote.

ADJOURNMENT

MOTION to adjourn was made by Councilwoman Gadaleta, second by Councilwoman Gross and unanimously approved by voice call vote.

Respectfully submitted,

Deborah Dakin, RMC, CMR
Borough Clerk

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey
Ordinance No. 20-03

AN ORDINANCE TO AMEND CHAPTER 326 ENTITLED "STREETS AND SIDEWALKS "OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

Hereto introduced on the 20th day of August, 2020 at 5:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 14th day of September, 2020 at 5:00 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.

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, Chapter 326, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Streets and Sidewalks within the Borough of Woodcliff Lake; and

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 326. Streets and Sidewalks

Sec. 326-31. Obstructions.

326-31 (a) Removal of Dead Trees and Branches.

Owners of property abutting on any street or public right-of-way and/or easement are required to trim or remove trees in the public right-of-way and/or easement, contiguous to their property or on their property which encroaches into the public right-of-way and/or easement and which creates a dangerous condition. Trees with dead or overhanging branches are a potential hazard to people and or motor vehicles and are required to be trimmed or removed. The municipality shall provide written notice to the property owner by posting notice on any tree that is to be trimmed or removed and shall be either sent to the property owner by certified mail, return receipt requested or personally served upon an occupant of the property of the age of 14 years or older. The notice shall give the property owner a period of time of at least ten (10) days or a shorter period of time if necessary, for public safety, to trim or remove the trees and or branches. If the property owner does not trim or remove the trees or branches after a period of at least ten

(10) days, or a shorter period of time if necessary, for public safety, the municipality shall do so at the property owner's expense. The cost of trimming or removing the trees shall become a lien on that property and shall be included in the next tax bill rendered to the property owner. Same shall be collected in the same manner as other taxes against that property.

(b) For any road maintained by the Borough of Woodcliff Lake that is lined with trees, plantings or has any other object within its right-of-way and/or easement, said trees, plantings or any other object, regardless of the installer and absent of an agreement and resolution to assume responsibility, shall be maintained by the fronting property owner.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta						X
Gross			X			
Hayes			X			
Marson		X	X			
Singleton			X			
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 20-168
AUGUST 20, 2020

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

_____6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: litigation update

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

_____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

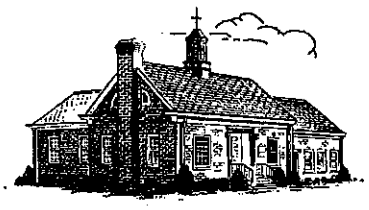
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on August 20, 2020 that an Executive Session closed to the public shall be held on August 20, 2020 at 5:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated 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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 20-169
AUGUST 20, 2020

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 7/31/2020	$222,923.03
Payroll Released 8/15/2020	$201,734.70

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:	$464,475.56
Trust/Other:	$ 1,128.58
Affordable Housing:	$ 187.00
Open Space:	$ 2,246.05
General Capital:	$ 13,029.81
Escrow:	9,100.00

CERTIFICATION OF FUNDS

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

_____

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, 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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #000749-2018

RESOLUTION NO. 20-170
AUGUST 20, 2020

WHEREAS, the owners of Block 2201.03 Lot 1, 212 Mulholland Drive, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

2018 Assessment from Tax Duplicate	**Tax Court Judgment**
339,700 LAND	**339,700 LAND**
942,000 IMPROVEMENTS	**860,300 IMPROVEMENTS**
1,281,700 TOTAL ASSESSMENT	**1,200,000 TOTAL ASSESSMENT**
$26,569.64 taxes paid	**$24,876.00 taxes**

WHEREAS, this has resulted in their overpaying their property tax for the year 2018 in the amount of **$1,693.64**; and

TOTAL REFUND FOR 2018 = $1,693.64

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$1,693.64** for the year **2018** to the owner of record BIBI, LAWRENCE M & ELANA F c/o Jennifer R. Jacobus, Esq.

CHECK MAILED TO

Jennifer R. Jacobus, Esq.
Jacobus & Associates, LLC
201 Littleton Road, 1st Floor
Morris Plains, NJ 07950
973-535-3032

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #013441-2018

RESOLUTION NO. 20-171
AUGUST 20, 2020

WHEREAS, the owners of Block 601 Lot 7, 291 Chestnut Ridge Road , Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

2018 Assessment from Tax Duplicate	**Tax Court Judgment**
314,400 LAND	**314,400 LAND**
1,535,600 IMPROVEMENTS	**1,357,600 IMPROVEMENTS**
1,850,000 TOTAL ASSESSMENT	**1,672,000 TOTAL ASSESSMENT**
$38,350.50 taxes paid	**$34,660.56 taxes**

WHEREAS, this has resulted in their overpaying their property tax for the year 2018 in the amount of **$3,689.94**; and

TOTAL REFUND FOR 2018 = $3,689.94

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **$3,689.94** for the year **2018** to the owner of record SMK ENTERPRISES, INC. c/o Warren B. Khan, Esq.

CHECK MAILED TO

Warren B. Khan, Esq.
150 River Road, Bldg O-2B
Montville, NJ 07045
973-299-2960
e-mail: Warren@wbkahn.com

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION RENEWING LIQUOR LICENSE FOR CP WOODCLIFF LAKES (HILTON HOTEL)

RESOLUTION NO. 20-172
AUGUST 20, 2020

WHEREAS, CP WOODCLIFF LAKES (HILTON HOTEL), has applied for renewal of their respective Plenary Retail Consumption License (Hotel/Motel Exception); 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. 0268-36-006-005 is hereby granted to **CP WOODCLIFF LAKES (HILTON HOTEL),** for the sale of alcoholic beverages for the period of July 1, 2020 to June 30, 2021, in accordance with the requirements of said Act and said Ordinance, on premises located at 200 Tice Boulevard.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION RENEWING LIQUOR LICENSE FOR WOODCLIFF LAKE LIQUORS

RESOLUTION NO. 20-173
AUGUST 20, 2020

WHEREAS, WOODCLIFF LAKE LIQUORS, has applied for renewal of their respective Plenary Retail Distribution 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 Distribution License No. 0268-44-002-007 is hereby granted to **WOODLCIFF LAKE LIQUORS,** for the sale of alcoholic beverages for the period of July 1, 2020 to June 30, 2021, in accordance with the requirements of said Act and said Ordinance, on premises located at 500 Chestnut Ridge Road.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING BERGEN COUNTY CARES ACT REIMBURSEMENT AGREEMENT
RESOLUTION NO. 20-174
AUGUST 20, 2020

WHEREAS, as a result of the COVID-19 Pandemic, the United States of America, the State of New Jersey, Counties and Municipalities have experienced significant economic damage and hardship; and

WHEREAS, on March 27, 2020 the Coronavirus Aid Relief and Economic Security Act ("CARES"), was enacted to provide ready funding to address unforeseen financial needs and risks created by the pandemic and to combat the economic damage caused to states, counties and municipalities; and

WHEREAS, Bergen County has received stimulus funds as a result of the pandemic and has the responsibility to disburse the stimulus funds to eligible recipients in accord with the terms and conditions of the CARES Act and any guidelines or regulations issued by the United States Government or any of its agencies and/or department;

WHEREAS, in an effort to alleviate a degree of the economic damage and hardship caused by the COVID-19 pandemic, the Borough of Woodcliff Lake desires to enter into the Bergen County Cares Act Municipality Reimbursement Agreement, a copy of which is attached hereto and incorporated herein by reference,; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed the Reimbursement Agreement between the Borough and Bergen County and recommend the approval of same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the Bergen County Cares Act Municipality Reimbursement Agreement between the Borough and Bergen County, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to

forward a copy of this resolution together with the executed Reimbursement Agreement to the County of Bergen upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING GALAXY GARDENS REMEDIATION WORK
RESOLUTION NO. 20-175
AUGUST 20, 2020

WHEREAS, it is necessary for continued remediation work to be performed at the Galaxy Gardens site; and

WHEREAS, ENRC has submitted a quote in the amount of $27,140.00, a copy of which is attached hereto and incorporated herein by reference, outlining the remediation tasks; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that ENRC's quote in the amount of $27,140.00 for the remedial work at Galaxy Gardens be approved.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the quote received from ENRC, a copy of which is attached hereto and incorporated herein by reference, for the remedial work to be performed at the Galaxy Garden site, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to ENRC upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING AMENDMENT TO BY-LAWS OF THE BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION NO. 20-176
AUGUST 20, 2020

WHEREAS, the Borough of Woodcliff Lake is a member of the Bergen County Municipal Joint Insurance Fund (hereinafter "Fund"); and

WHEREAS, recent changes have been made to the Fund's By-Laws; and

WHEREAS, after a public hearing conducted on March 19, 2020, the Executive Committee of the Fund distributed the proposed By-Laws amendment to the membership for their consideration, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the revised By-Laws must be ratified by at least three-fourths of the membership before same can become effective; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that the amendment to the By-Laws of the Bergen County Municipal Joint Insurance Fund be approved.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the amendment to the By-Laws of the Bergen County Municipal Joint Insurance Fund, a copy of which is attached hereto and incorporated herein by reference be and are hereby ratified; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to PERMA Risk Management Services upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING TERMINATION OF JOINT SERVICES AGREEMENT

RESOLUTION NO. 20-177
AUGUST 20, 2020

WHEREAS, on or about September 21, 2001, the Borough of Woodcliff Lake adopted a resolution approving a Joint Services Agreement with the Borough of Westwood acting as Lead Agency for a Catch Basin Cleaner; and

WHEREAS the term of the agreement was for an initial term of five (5) years and structured to automatically renew annually and to continue until the end of the useful life of the catch basin cleaner; and

WHEREAS, as almost twenty (20) years have passed since the agreement was entered into, the Borough desires to terminate its joint services agreement with the Borough of Westwood; and

WHEREAS, the Borough Administrator and Department of Public Works have reviewed this matter and recommend that the Joint Services Agreement between the Borough and the Borough of Westwood be terminated.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the Joint Services Agreement with the Borough of Westwood dated on or about September 21, 2001 for the purchase of a catch basin cleaner be and is hereby terminated; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to the Borough of Westwood upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING INTERLOCAL SERVICES AGREEMENT WITH TRI-BOROUGH PUBLIC SAFETY SYSTEM

RESOLUTION NO. 20-178
AUGUST 20, 2020

WHEREAS, pursuant to *N.J.S.A.* 52:17C-6, all New Jersey municipalities are to provide telephonic access to an appropriate Public Safety Answering Point ("PSAP") serving the municipality; and

WHEREAS, the Northwest Bergen Central Dispatch ("NWBCD") provides regional PSAP and dispatch services; and

WHEREAS, Tri-Borough Public Safety System is an agency of the Borough of Woodcliff Lake; and

WHEREAS, due to increasing costs of operations, capital improvements and maintenance, Tri-Borough Public Safety System has determined that it is in the public interest to have its duties and responsibilities performed by NWBCD; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40:8A-1 et. seq., the parties desire to enter into an Interlocal Services Agreement for enhanced 9-1-1 Services; and

WHEREAS, the Borough Administrator and Police Chief have reviewed the Interlocal Services Agreement for Enhanced 9-1-1- Services between the parties, a copy of which is attached hereto and incorporated herein by reference, and recommend the approval of same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough

of Woodcliff Lake, County of Bergen and State of New Jersey, that the Interlocal Services Agreement between the parties, a copy of which is attached hereto and incorporated herein by reference; be and is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to the Tri-Borough Public Safety System upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION RENEWING LIQUOR LICENSE FOR BAREBURGER, BB TICES CORNER LLC

RESOLUTION NO. 20-179
AUGUST 20, 2020

WHEREAS, BAREBURGER, BB TICES CORNER LLC, 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. 0268-33-001-010 is hereby granted to **BAREBURGER, BB TICES CORNER LLC,** for the sale of alcoholic beverages for the period of July 1, 2020 to June 30, 2021, in accordance with the requirements of said Act and said Ordinance, on premises located at 453 Chestnut Ridge Road.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION RENEWING LIQUOR LICENSE FOR SOL EJE, INC.

RESOLUTION NO. 20-180
AUGUST 20, 2020

WHEREAS, SOL EJE, INC. 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. 0268-33-003-007 is hereby granted to **SOL EJE INC.** for the sale of alcoholic beverages for the period of July 1, 2020 to June 30, 2021, in accordance with the requirements of said Act and said Ordinance, on premises located at 42 Kinderkamack Road.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FISCAL GRANT CYCLE JULY 2020 - JUNE 2025

RESOLUTION NO. 20-181
AUGUST 20, 2020

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Woodcliff Lake Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Council of the Borough of Woodcliff Lake has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THERFORE, BE IT RESOLVED by the Borough of Woodcliff Lake, Bergen County, State of New Jersey herby recognizes the following:

1. The Borough of Woodcliff Lake Council does hereby authorize submission of a strategic plan for the Woodcliff Lake Municipal Alliance Grant for the fiscal year 2021 in the amount of:

DEDR	$ 3126.15
Cash Match	$ 781.54
In-Kind	$ 2344.61

2. The Woodcliff Lake Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

APPROVED: _____
Carlos Rendo, Mayor

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Singleton			X			
Marson			X			
Mayor Rendo						

RESOLUTION APPROVING FIRST ENVIRONMENT REMEDIATION COST ESTIMATE FOR GALAXY GARDENS
RESOLUTION NO. 20-182
AUGUST 20, 2020

WHEREAS, it is necessary for continued remediation work to be performed at the Galaxy Gardens site; and

WHEREAS, First Environment has submitted a remediation cost estimate in an amount not to exceed $25,000.00, a copy of which is attached hereto and incorporated herein by reference, outlining the remediation tasks; and

WHEREAS, the Borough Administrator has reviewed this matter and recommends that First Environment's quote in the amount not to exceed of $25,000.00 for the remedial work at Galaxy Gardens be approved.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the remediation cost estimated received from First Environment, a copy of which is attached hereto and incorporated herein by reference, for the remedial work to be performed at the Galaxy Garden site, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to First Environment upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING PURCHASE OF POLICE VEHICLE

RESOLUTION NO. 20-183
AUGUST 20, 2020

WHEREAS, the Borough of Woodcliff Lake Police Department is in need of a police vehicle; and

WHEREAS, Gentilini Chevrolet LLC has submitted a quote to the Police Department for a 2020 Chevrolet Tahoe 4WD in the amount of $55,000.00; and

WHEREAS, the purchase of the 2020 Chevrolet Tahoe is made through State Contract #A89938; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(2), purchases made through a State approved Contract are exempt from the requirement of open competitive bidding; and

WHEREAS, the Chief Financial Officer of the Borough has certified that the funds are available by way of the 2020 capital budget for the purchase of the vehicle for the Police Department, which certification is attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Administrator and Woodcliff Lake Police Department have reviewed the within referenced quote from Gentilini Chevrolet LLC and recommends the approval of same; and

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the quote submitted by Gentilini Chevrolet LLC for a 2020 Chevrolet Tahoe 4WD for the Woodcliff Lake Police Department be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Administrator be and is hereby authorized and directed to take all steps necessary to effectuate the purchase of the 2020 Chevrolet Tahoe 4WD from Gentilini Chevrolet; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to Gentilini Chevrolet LLC upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH LENOX CONSULTING

RESOLUTION NO. 20-184
AUGUST 20, 2020

WHEREAS, the Borough previously entered into a Professional Services Agreement with Lenox Consulting for communications consulting services through March 2021; and

WHEREAS, due to the financial implications of COVID-19, Lenox Consulting has provided an amended plan to the Borough reducing their monthly fee from $3,000 to $1,250 per month; and

WHEREAS, the amended plan also provides a cap of 15 hours per month with an hourly fee of $95.00 per hour should their services exceed said 15 hours per month and only with the Borough's approval; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend the amended plan reducing the monthly fee to the Borough submitted by Lenox Consulting be approved.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the amended plan submitted by Lenox Consulting for communication consulting services, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Lenox Consulting upon its passage.

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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK