



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
October 6, 2014
7:15 PM**

CALL TO ORDER

Notice of this meeting in accordance with the "Open Public Meetings Law, 1975, C. "231" was posted at Borough Hall on September 25, 2014 and two newspapers, The Record and The Ridgewood News, were notified on September 25, 2014.

ROLL CALL

Mayor Jeffrey Goldsmith was absent. Council President Abene asked for roll call. Council members Abene, Belgiovine, Bloom, Rendo and Rosenblatt were present. Councilwoman Gadaleta arrived before the roll call for closed session. Borough Attorney Paul Kaufman was present as well as Thomas Richards, Borough Administrator and Debbie Dakin, Acting Borough Clerk.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance which was led by former Councilman Jeffrey Bader.

CLOSED SESSION

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**Resolution No. 14-187
October 6, 2014**

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake, pursuant to the provisions of N.J.S.A. 10:4-12(b), may meet in closed session; and

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

1. Galaxy Gardens
2. Kathy Rizza vs. Borough of Woodcliff Lake

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

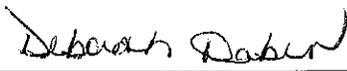
NOW THEREFORE BE IT RESOLVED that formal action may be taken at the Meeting.

ROLL CALL:

Introduction: Mr. Belgiovine
Second: Mr. Bloom
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.



DEBORAH DAKIN
ACTING BOROUGH CLERK

PROCLAMATION

- Mental Illness Awareness, given by Council President Donna Abene

APPROVAL OF MINUTES

Motion to approve the Minutes of September 15, 2014 was made by Councilwoman Gadaleta, seconded by Councilman Belgiovine approved by Council members Abene, Belgiovine, Gadaleta and Rendo. Councilman Bloom and Councilman Rosenblatt abstained.

Motion to approve the Minutes of September 15, 2014 (closed) was made by Councilwoman Gadaleta, seconded by Councilman Belgiovine and approved by Council members Abene, Belgiovine, Gadaleta and Rendo. Councilman Bloom and Councilman Rosenblatt abstained.

Police Humvee

Chief Jannicelli spoke about the acquisition of the Humvee. He stated that back in June while at a training program he became aware that municipalities were able to obtain equipment that is not being utilized by the Federal government. Chief Jannicelli stated that the municipality is able to use such equipment and when done with it, it goes back to the government. The Chief stated that he had 2 days to take the vehicle otherwise it was going to the crusher. If anyone was interested in seeing the vehicle, it is parked behind the fire house. Additionally, Chief Jannicelli stated that there is a video that can be watched so see when the Humvee is capable of. Chief Jannicelli stated that the police department would like to paint it black and white to match the other police vehicles. Additionally, they would like to take one of the radios from one of the older police cars and put it in it. The primary function of the Humvee is to be able to get us somewhere that no other vehicle will. Chief Jannicelli stated that the fire department, Cert and OEM are all in favor of it.

Council President Abene thanked Chief Jannicelli for his thorough presentation.

NEW BUSINESS

Introduction of Ordinance 14-11

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$110,000 FOR THE 2014 ROAD AND CURB IMPROVEMENT PROGRAM IN, BY AND FOR THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

ROLL CALL:

Introduction: Mr. Rendo
Second: Mr. Belgiovine
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

Borough Newsletter, led by Councilman Belgiovine

Councilman Belgiovine stated that all articles for the newsletter need to be submitted soon and that the fall/winter newsletter should be at residents' doors by Thanksgiving.

Werimus Road Tennis Court Improvements, led by Administrator Richards

Administrator Richards spoke about the Borough using a grant to do some upgrades to the tennis court area. He stated the possibility of creating some parking spaces, putting some tables and benches in, and building a new gazebo. Councilman Belgiovine asked if you were able to upgrade the restroom facilities with these funds. Peter Blanos from Millennium Strategies stated that he was advised that we could not use funds for these improvements – closed structures were not eligible.

Councilman Belgiovine asked about the possibility of putting a portable ice rink on top of the tennis courts/basketball courts. Mr. Belgiovine brought in a sample of the material and Peter Blanos was going to do some research on it. Mr. Blanos stated that time is of the essence since the grant will be expiring shortly.

Councilwoman Gadaleta asked how many parking spots there would be. Joe Vuich, Neglia Engineering, stated approximately 20 spots could be done. Administrator Richards stated that they will work on the application and have it ready to present to the Mayor and Council at the next meeting.

Paul Kaufman, Borough Attorney, stated that he would like to address Galaxy Gardens for a few minutes. Mr. Kaufman stated that he was not at the previous meeting, but read the minutes and noted that residents had a lot of questions.

Mr. Kaufman stated that there are processes to have to be followed. Mr. Kaufman also stated that Galaxy is in closed session because it is a litigation matter. Mr. Kaufman stated that there are strategies that are being talked about. There is a condemnation process for the taking of property by eminent domain. There are a lot of matters that the Mayor and Council need to discuss such as the condition of the property, potential use of the property, the cost of the property and the cost of the remediation of the property. Mr. Kaufman stated that they want to move on this but it needs to be done correctly. There are benefits and risks that must be weighed.

ADMINISTRATOR'S REPORT

1. The replacement generator for the Police Department should be installed by the end of next week. We were notified that it was shipped last Thursday. This unit is a 150 KW it is large enough to provide emergency power to both the Police Dept. and the Borough Hall.

2. Grant applications overview:

NJ Department of Transportation, Municipal Aid Grant

The 2014 NJ DOT Municipal Aid grants are currently available. The Municipal Aid grant program is designed to provide funding for the improvement of public roads that are under municipal jurisdiction. On 9/25/14 Peter Blanos, Joe Vuich, Dave Antoine, and I met to discuss potential projects that this funding could be applied towards within the Borough of Woodcliff Lake. After much discussion, we came to a consensus on a project that would focus on the capital rehabilitation of Harriet Drive. Harriet Drive has been selected as a result of its ability to conform to the criteria, established by the DOT, for the types of roadway projects that will qualify for DOT monies. An email thread was established with all respective council liaisons to lay-out the vision for this project. Tonight we would like to allow for any discussion amongst the Council as to how you would like for our consultants to proceed with this grant.

Bergen County Open Space Grant

Millennium Strategies met with the Bergen County Division of Open Space on 9/4/14 to discuss the status of the Borough's existing open space grants. The County identified that the Borough has an existing 2012 Bergen County Open Space grant award for \$50,000 to assist with renovations to the ball fields and pool landscaping at the Old Mill Complex. This grant was set to expire on 12/19/14; however, the County has offered to allow the Borough to repurpose these monies for a more meaningful project. In addition, the County will also provide an extension for the repurposed grant so that the Borough has adequate time to complete the project. On 9/24/14 the Pete Blanos, Joe Vuich, Dave Antoine, Jay Esposito and I met to discuss potential projects. After much deliberation, we had decided that a parking lot installation/various aesthetic improvements at the Werimus Road tennis courts would be an appropriate project to apply these funds towards. Millennium Strategies discussed the proposed scope of work for this project with the Bergen County Division of Open Space and all elements of the proposed project would be considered eligible under the program guidelines. An email thread was established with all respective council liaisons to lay out the vision for this project. Tonight we would like to allow for any discussion amongst the Council as to how you would like for our consultants to proceed with this grant.

NJ Board of Public Utilities, Office of Clean Energy, Direct Install Grant

On 8/4/14 Millennium Strategies sent over a new grant opportunity through the NJ Board of Public Utilities, Office of Clean Energy. The program is called the Direct Install Grant and is designed to provide matching grants for HVAC and lighting upgrades at municipal facilities. Millennium was authorized to begin exploring what type of funding the Borough would be eligible for through this program. Millennium has worked with the Finance Department as well as DPW to collect an inventory of all existing infrastructure at all municipal facilities and determine if any facilities would qualify for funding. Upon completion of these activities, Millennium who has worked in

coordination with LIME Energy (the State approved contractor for administering this program in Bergen County), was able to determine that the Borough would qualify for \$105,081.04 in upgrades at the Police Station, Fire House and Tice Senior Center. Based upon the structure of this program, the grant would cover approximately 70% (\$73,556.73) of the project costs, with the municipality being required to pay the remaining 30% (\$31,524.32) of the total project costs. In addition, based upon the improvements to be completed, it is anticipated that the Borough will realize \$13,740.55 annual reduction in energy costs.

Tonight, I would like to provide opportunity for the Council to discuss this grant opportunity in front of us and determine as to what direction we would like to move in with this project.

The paving program will begin on Oct. 21st the engineer will speak on the details.

ENGINEER'S REPORT

Please see attached.

PUBLIC COMMENT

MOTION to open to the public was made by Councilman Corrado Belgiovine, seconded by Councilwoman Gadaleta and unanimously approved.

Ira Weiner, Esq., from the firm of Beattie Padovano, Counsel for the Concerned Neighbors and Residents of Woodcliff Lake, Inc. Mr. Weiner stated that he supports the efforts for eminent domain but noticed that there have been a series of closed sessions.

Paul Kaufman replied that there will be action this evening on this matter and as of this date, Phase II is not complete.

Mr. Weiner further stated that Mr. Rosenblatt recused himself early on, however he has since re-engaged himself. Mr. Weiner stated that if a conflicted Councilperson participates, the action taken is voided. Mr. Weiner stated that he wants to make sure that Mayor and Council is doing this by the book. Mr. Weiner also asked as to what litigation is being discussed in closed session.

Mr. Kaufman replied that it is litigation when you are going to take someone's property.

Mr. Weiner stated that Mr. Rosenblatt should recuse himself. Mr. Kaufman replied that Mr. Rosenblatt will make his own decision at the appropriate time.

Mr. Carluccio shouted out from the audience. Mr. Kaufman stated that he is not going to answer anybody that shouts out from the audience. He further stated that everyone will have an opportunity to talk, and might disagree, but it will be done the right way. Nobody is going to

shout out. Mr. Carluccio shouted not to talk to him about the right way and that Council has done nothing right about this situation from jump.

Council Abene stated that this would be conducted in a civil manner and that everyone would get a chance to speak and that we are here to listen.

Mr. Kaufman stated that to Mr. Weiner that he has read every case that Mr. Lamb stated in his letter, read the Local Government Ethics Law, and has come to his own conclusions. He will advise his client and he will make his own decision and will not be based on a lot of people screaming and yelling in the audience.

Mr. Weiner stated that they have set forth their position and hopes Councilman Rosenblatt thinks long and hard about whether he wants to continue.

Cheryl Dispoto, Woodcliff Lake, stated she noticed that Mrs. Abene shut down the shouting, but she should have spoken up several weeks ago when Mr. Rosenblatt shouted. Mrs. Dispoto also asked how Mr. Rosenblatt could have been ready to vote if Phase II is not available. Ms. Dispoto continued to state that the room is out of control when Attorney Kaufman is not here and it certainly is not coming from the audience but from the dais and that the people are absolutely fed up with the closed sessions. Ms. Dispoto told Mr. Kaufman that maybe he should look at the video tapes because she has them and you can see what is going on and that on September 15th our illustrious Mayor who conveniently is out of town today told everyone in this audience, a public official, you can go home and that he discourages public discourse. Ms. Dispoto further suggests that going forward, if you want to keep this under control, you need to be here because some of the Council members up here including our Mayor do not have it under control.

Mr. Kaufman stated to the public that he will not be at the October 20th meeting because he will be away in London and this will not be on the agenda.

Ms. Dispoto further stated that they would appreciate 10 days' notice if Galaxy is going to be on the Agenda. Ms. Dispoto commented that on September 2nd the Mayor looked at her and said Ms. Dispoto you are the only one interested in Galaxy Gardens.

Mr. Kaufman stated that it will not be on the Agenda for the next meeting and sometimes we do not know 10 days in advance. Sometimes things come up at the last minute and they go on the Agenda. Any member of the Council can put anything on the Agenda up until noon the Thursday before the meeting. Mr. Kaufman stated that he will let Mr. Weiner know that he will let him know as soon as he knows as a courtesy.

Tom Carluccio, Woodcliff Lake, asked what is this situation with this Phase II evaluation. Where is it? How long does this take?

Mr. Kaufman replied that the situation is that there is certain information that we need from

our environmental engineers.

Paul Camella, Woodcliff Lake, stated that the Council should make a decision on the Humvee because he believes it is for a good cause.

Councilman Rosenblatt replied that he anticipates having an answer for the next meeting.

Jeffrey Bader, Woodcliff Lake, noted that we are looking to spend funds for tennis courts improvements. He asked the Council to possibly look into creating a Needs Assessment Committee and to take the time to see what the Borough needs and plan a layout for the future.

Jeanine Chiavelli, Woodcliff Lake, stated that we have an opportunity to purchase the Galaxy property for the town. The people present at this meeting elected you, the Council, to represent the residents. Ms. Chiavelli further stated that she feels the Council is not forthcoming and that information has to be pulled out from them. She also stated that she would like to hear opinions of the Council with respect to the Galaxy property.

Mr. Kaufman stated that he would take the blame for both the Republicans and Democrats for not speaking. He asked them not to have any discussions or give any opinions until all the facts are known. Mr. Kaufman further stated that Mr. Rosenblatt might have been ready to vote, but not everybody else was. Mr. Kaufman stated that when you take property because of condemnation, you have to put up 100 percent of the money so therefore you need to know where the money is coming from.

Ms. Chiavelli stated that she believes the Humvee is a great idea.

David Cantor, Woodcliff Lake, stated that it took several years to clean up Tice and it could take several years to clean up Galaxy.

Joseph LaPaglia, Woodcliff Lake, stated that he hand-delivered a letter to the Mayor and Council today. Mr. LaPaglia stated that believes the Mayor and Council have a situation with overspending. By looking at the August 31, 2014 budget report, there are 14 accounts that have been overspent. Mr. LaPaglia also suggested that Harold Laufeld attend the next meeting to answer questions.

Mr. Kaufman stated that Mr. Richards will set up a meeting with Mayor Goldsmith, Harold Laufeld and Mr. LaPaglia for some time next week.

Jhor Sochan, Woodcliff Lake, stated that there is not much property left to acquire and why should Woodcliff Lake not try to acquire it. Mr. Sochan also stated that there should be a public hearing on the matter for everyone to give their opinion.

Lisa Yakomin, Woodcliff Lake, asked if Galaxy Gardens would be on the Agenda for the next

meeting. Ms. Yakomin also stated that she believes the Harriet Way project is not logical and the Borough should be looking at other areas. Ms. Yakomin stated that the Borough should think things through first.

Dana Cassell, Woodcliff Lake, stated that it was refreshing to see all these residents present at the Mayor and Council meetings. Mr. Cassell also stated that he is not a member of the Concerned Citizens Group but is concerned about all issues. Mr. Cassell stated that we should all be civil and to treat one another with respect.

Nancy Wernikoff, Woodcliff Lake, requested that when Galaxy Gardens is going to be discussed, the meeting is held at the Tice Center.

MOTION to close to the public was made by Councilman Bloom, seconded by Councilwoman Gadaleta and unanimously approved.

CONSENT AGENDA

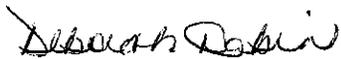
Motion to approve the Consent Agenda was made by Councilman Rendo, seconded by Councilman Bloom and unanimously approved.

ADJOURNMENT

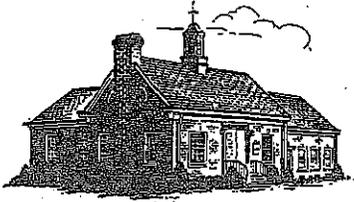
Motion to adjourn was made by Councilman Rendo, seconded by Councilman Belgiovine and approved unanimously by voice call vote.

Meeting was adjourned at 10:00 PM.

Respectfully submitted,



Deborah Dakin
Acting Borough Clerk



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

Resolution No. 14-187

October 6, 2014

WHEREAS, the Mayor and Council of the Borough of Woodcliff Lake, pursuant to the provisions of N.J.S.A. 10:4-12(b), may meet in closed session; and

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

1. Galaxy Gardens
2. Kathy Rizza vs. Borough of Woodcliff Lake

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

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

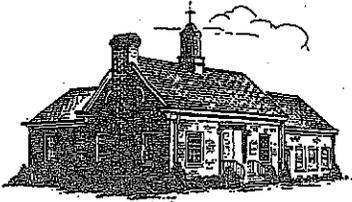
ROLL CALL:

Introduction: Mr. Belgiovine
Second: Mr. Bloom
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

October 6, 2014

Resolution No. 14-188

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

Payroll Release 9/30/2014 \$174,296.03

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

Current Fund:	\$ 1,180,792.80
Escrow:	\$ 4,232.24
Animal:	\$ 4.80
Open Space Trust:	\$ 26,600.00

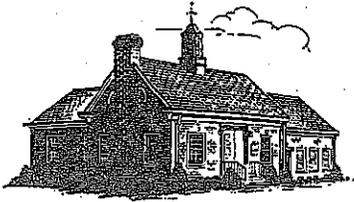
ROLL CALL:

Introduction: Mr. Rendo
Second: Mr. Belgiovine
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

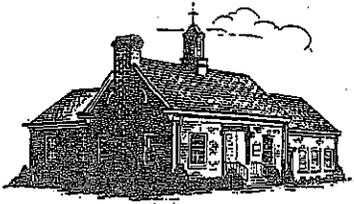
201-391-4977
Fax 201-391-8830

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 October 6, 2014.



Deborah Dakin
Deborah Dakin
Acting Borough Clerk



BOROUGH OF WOODCLIFF LAKE

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JEFFREY R. GOLDSMITH, Mayor
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RESOLUTION OF TAX SETTLEMENT GARY & BETH HIRSCHBERG VS. BOROUGH OF WOODCLIFF LAKE

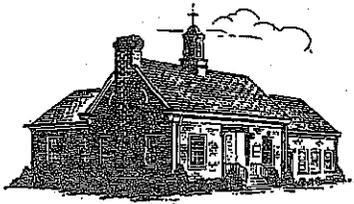
Resolution No. 14-189
October 6, 2014

WHEREAS, Gary and Beth Hirschberg are the owners and taxpayers of property located at 24 Hunter Ridge, also known as Block 1108, Lots 4 and 5, Woodcliff Lake, New Jersey; and

WHEREAS, the taxpayers have filed tax appeals for the years 2011 through 2014 against the Borough of Woodcliff Lake in matters entitled Gary and Beth Hirschberg vs. Borough of Woodcliff Lake, which are presently pending in the Tax Court; and

WHEREAS, it is has been recommended by the Tax Appeal Attorney, the Borough Appraiser and the Borough Assessor that the matter be settled at this time, and that such settlement is in the best interests of the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation entitled Gary and Beth Hirschberg vs. Borough of Woodcliff Lake, so that: (1) For tax years 2011 through 2014, the total assessment of Blocks 1108, Lots 4 and 5, will be \$1,800,000; (2) Lots 4 and 5 in Block 1108 shall be consolidated into Lot 5, and the Tax Assessor shall undertake such action to effectuate the consolidation; (3) Taxpayers shall, prior to the execution of the Stipulation of Settlement, provide written proof of the escrowing of the sum of \$55,000 in the trust account of Beattie Padovano, which monies shall be paid to the Borough upon the execution of the Stipulation of Settlement, as against outstanding tax arrears; (4) The refund otherwise due to the taxpayer as the result of the reductions in assessments from 2011 through 2014, approximately \$17,800, shall be paid to the Borough, rather than to the taxpayers, in order to satisfy any remaining tax arrears; (5) Any balance left from the \$17,800 refund shall be remitted to the taxpayer; (6) The 2015 (consolidated) assessment shall be no more than a total of \$1,800,000;



BOROUGH OF WOODCLIFF LAKE

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BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of any and all pre-judgment interest by the taxpayer, as long as the refunds are paid within 60 days of the Tax Court Judgments.

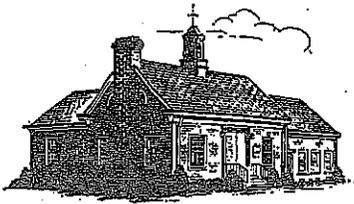
ROLL CALL:

Introduction: Mr. Rendo
Second: Mr. Belgiovine
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

**DEBORAH DAKIN
ACTING BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING THE MAYOR OF THE BOROUGH OF WOODCLIFF LAKE TO SIGN MUNICIPAL SERVICES AGREEMENT WITH FOUR SEASONS AT RIDGEMONT

Resolution No. 14-190

October 6, 2014

WHEREAS, the Four Seasons at Ridgemont is a homeowners association or other not-for-profit entity (the "Association") responsible for the management of a condominium complex ("Four Seasons") located within the Borough of Woodcliff Lake and the Borough of Montvale; and

WHEREAS, the Four Seasons condominium complex located within the Borough of Woodcliff Lake presently consists of two buildings comprised of twenty-four (24) units; and

WHEREAS, a third building comprised of twelve (12) units is currently under construction within the Borough; and

WHEREAS, N.J.S.A. 40:67:23.2 et. seq., the Condominium Services Act, provides for the municipal reimbursement of certain enumerated municipal services to a condominium association or the providing of such services by a municipality in lieu of such reimbursement; and

WHEREAS, the Association seeks reimbursement from the Borough for costs associated with lighting of roads and streets, removal of solid waste and snow removal and snow removal regarding that portion of the Four Seasons located within the Borough of Woodcliff Lake; and

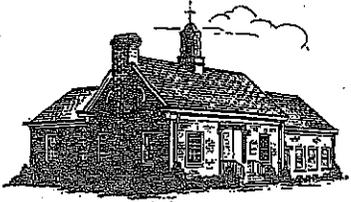
WHEREAS, the Four Seasons complex located within the Borough of Woodcliff Lake includes approximately two hundred (200) feet of interior roadways; and

WHEREAS, the interior roadways require three (3) streetlights at an annual cost of One Hundred and Forty Seven and 36/100ths (\$147.36) Dollars per streetlight; and

WHEREAS, the cost for collection of solid waste and recyclables is approximately One Hundred and Fifty and 50/100ths (\$150.50) Dollars per month per building and, upon completion of the third building the anticipated total cost for collection will be Four Hundred and 00/100ths (\$450.00) Dollars per month; and

WHEREAS, the Borough has further determined that the Four Seasons roadways located within the Borough of Woodcliff Lake will require approximately nine (9) hours per year spent on snow removal at a rate of One Hundred and ten and 00/100ths (\$110.00) Dollars per hour; and

WHEREAS, the Borough has agreed to reimburse the Association for the costs of collection/disposal of solid waste and recyclable materials, snow removal and street lighting as set forth herein in accordance with N.J.S.A. 40:67:23.2 et. al.; and



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JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

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WHEREAS, it is in the best interest of the Borough to enter into a Municipal Services Agreement with the Association regarding all reimbursable costs to the Association.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the Mayor is hereby authorized to sign and deliver the Municipal Services Agreement with Four Seasons at Ridgemont to:

Borough Attorney:

Paul Kaufman, Esq. of Kaufman, Semeraro
& Leibman, LLP
Two Executive Drive, Suite 530
Fort Lee, New Jersey 07024

Attorney for
Four Seasons at
Ridgemont

Nilufer O. DeScherer, Esq. of Archer & Greiner, PC
Court Plaza South, West Wing
21 Main Street, Suite 353
Hackensack, New Jersey 07601

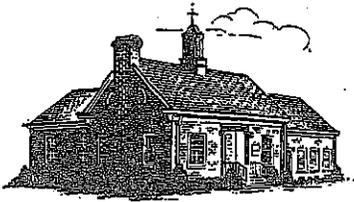
ROLL CALL:

Introduction: Mr. Rendo
Second: Mr. Belgiovine
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE 2014 ROAD PROGRAM (PASCACK VALLEY COOPERATIVE)

RESOLUTION NO. 14-191

October 6, 2014

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: 2014 Road Program (Pascack Valley Cooperative)
CONTRACTOR: D&L Paving Contractors, 681 Franklin Avenue, Nutley, NJ 07110
CHANGE ORDER: Number 1
AMOUNT OF CHANGE THIS RESOLUTION: \$97,855.00 (8.21% Increase)

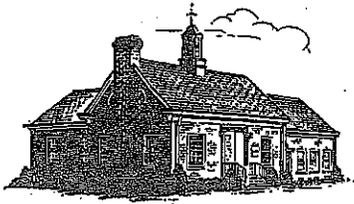
This Resolution to take effect upon certification by the Chief Financial Officer that sufficient funds are available.

ROLL CALL:

Introduction: Mr. Rendo
Second: Mr. Belgiovine
Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt
Nays: None
Abstain: None
Absent: None

CERTIFICATION

Harold Laufeld
Chief Financial Officer



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

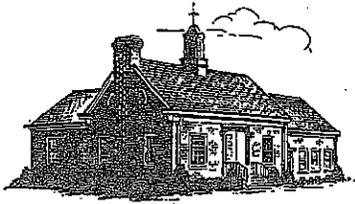
JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION REQUESTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HARRIET DRIVE REHABILITATION PROJECT

Resolution No. 14-192
October 6, 2014

WHEREAS, the Borough of Woodcliff Lake is requesting funding from the New Jersey Department of Transportation Municipal Aid Program,

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Woodcliff Lake formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to submit an electronic grant application identified as MA-2015-Harriet Drive Rehabilitation Project-00388 for Woodcliff Lake to the New Jersey Department of Transportation on behalf of the Borough of Woodcliff Lake.

BE IT FURTHER RESOLVED that if a grant award is to be made to the Borough of Woodcliff Lake for this project that the Mayor and Clerk are hereby authorized to sign the grant award agreement on behalf of the Borough of Woodcliff and that their signature constitutes acceptance of the terms and conditions of the grant award agreement and approves the execution of the grant award agreement.

ROLL CALL:

Introduction: Mr. Rendo

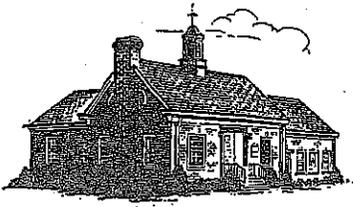
Second: Mr. Belgiovine

Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

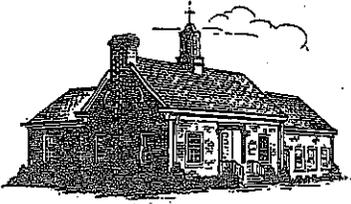
JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor
THOMAS RICHARDS, Borough Administrator

201-391-4977
Fax 201-391-8830

RESOLUTION REQUESTING RELEASE OF ESCROW BALANCE FOR T-MOBILE, LLC

Resolution No. 14-193
October 6, 2014

WHEREAS, the Borough Construction Code Official of Woodcliff Lake has confirmed that all is satisfactory and has recommended that the escrow be released,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of the escrow balance in the amount of \$4,232.24 in connection with the aforementioned.

ROLL CALL:

Introduction: Mr. Rendo

Second: Mr. Belgiovine

Ayes: Mrs. Abene, Mr. Belgiovine, Mr. Bloom, Mrs. Gadaleta, Mr. Rendo,
Mr. Rosenblatt

Nays: None

Abstain: None

Absent: None

CERTIFICATION

I, Deborah Dakin, Acting 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 October 6, 2014.

DEBORAH DAKIN
ACTING BOROUGH CLERK



MEMORANDUM

TO: The Honorable Mayor and Council
FROM: Michael J. Neglia, PE, PP, PLS and Joseph R. Vuich
DATE: October 6, 2014
RE: Status of Active Projects in the Borough of Woodcliff Lake

Joseph E. Neglia, PE, PP, PLS
CEO, Chairman of the Board

Michael J. Neglia, PE, PP, PLS
President

Gregory Polyniak, PE, PP

Michael F. Berliner

Thomas R. Solfaro, PE, CME

Daniel Kaufman, PE, PP

Brian Intindola, PE

Joann Signa

Civil Engineering

Municipal Engineering

Landscape Architecture

Traffic Engineering

Planning

Land Surveying

Construction Management

34 Park Avenue

PO Box 426

Lyndhurst, NJ 07071

Tel: 201.939.8805

Fax: 201.939.0846

www.negliaengineering.com

Our file: WDLAMUN14.014
Project: 2014 Pascack Valley Cooperative Pricing Road Paving Program
Start Date: August 20, 2014
End Date: Late October, 2014
Contract: \$1,191,217.85
Budget Status: \$77,803.13 (Payment Voucher #1)

The list of roads identified for resurfacing and curb repair during the 2014 Road Program includes; Mill Road Extension, Indian Drive, Springhouse Road, Deerfield Drive, Mill Road, Arcadia Road, Woodland Road, Berkshire Road, Oakwood Drive, Dennis Court, Welter Avenue, Willow Street, Edward Place, James Street, Sylvia Court, Pond Road, Pinecrest Drive, Marz Drive, Allen Drive, and David Lane. Resurfacing efforts total approximately 4 ¼ miles, or 13%, of the 32 miles of roadway in the Borough. Curb repair on Clairmont Drive, Rutgers Court, Fieldstone Court, Harvard Court, Princeton Drive, Somerset Drive, and Marjo Court will also be addressed during this program.

At the June 30th meeting of Mayor and Council, Bond Ordinance 14-07 was authorized in support of this project. At the July 14th meeting of Mayor and Council, D&L Paving Contractors, Inc. was authorized in the amount of One Million One Hundred Ninety-One Thousand Two Hundred Seventeen Dollars and Eighty-Five Cents (\$1,191,217.85), as per the submitted bid package. Construction management of this project was also awarded to our office at this meeting.

The pre-construction meeting was held on August 5th at Borough Hall. Park Ridge Water confirmed that leak tests have already been performed on all roads in the program to address any repairs required prior to resurfacing. The NEA Inspector, DPW, and the Contractor coordinated project walkthroughs to identify exact locations of all curb replacements.

The Contractor mobilized for construction of concrete curb repairs in late August, starting on Clairmont Drive and surrounding roads. The contractor has since begun curb repairs on roads which require resurfacing. The distributed resident notices indicate continued curb repairs throughout October with paving anticipated to begin as early as October 21st.

Payment Voucher #1 and Change Order #1 have been processed and submitted to the Borough for consideration at the Monday, October 6th Council meeting.



Borough Engineer's Report
October 6, 2014
Page 2 of 5

Our file: WDLAMUN13.017
Project: Old Mill Recreation Complex Improvements (Bleachers & Walkway)
Start Date: July 28, 2014
End Date: September 1, 2014
Contract: \$92,847.00 (Change Order #1, 17.97% increase)
Budget Status: \$51,855.75 (Payment Vouchers #1 & 2)

The Borough of Woodcliff Lake has received a grant from the Bergen County Open Space Trust Fund for improvements at the Old Mill Recreation Complex. This grant is in the amount of \$20,525 with an anticipated match by the Borough's Open Space Fund and contributions from the Woodcliff Lake Baseball Association for the remainder of project costs.

The third Bid Opening for this project was held on July 9th at Borough Hall. The lowest of five (5) bids received was submitted by Trino Associates, LLC of Paramus, NJ in the amount of Seventy-Eight Thousand Seven Hundred and Two Dollars and Zero Cents (\$78,702.00) representing the total sum of Base Bid and Alternate Bid #1. Award of contract to Trino Associates, LLC was approved by the Council through Resolution at the July 14th meeting of Mayor and Council. Construction management of this project was also awarded to our office at this meeting.

The pre-construction meeting was held on July 25th at Borough Hall. The Contractor began construction on July 28th with tree removal, demolition of the existing bleachers and railroad tie wall, and excavations for construction of the new modular block retaining wall. Construction of the wall was completed within a week. A site meeting was held on August 7th to coordinate an additional bleacher unit to be purchased and installed at Lockwood Field through additional funding by the Baseball Association. The new bleacher unit and additional concrete quantities have been accommodated by Change Order #1. Concrete sidewalks and bleacher pads were installed the week of August 11th. The new bleacher units were ordered the first week of August and were delivered in mid-September.

The Contractor is coordinating with NEA's resident landscape architect regarding delivery and planting of all landscaping. Shrubs are scheduled for delivery and planting the second week of October. Two sycamore trees, for in-kind replacement of a mature sycamore which was removed during the project, are currently on backorder until November when they are anticipated to mature to the desired caliper size.



Borough Engineer's Report
October 6, 2014
Page 3 of 5

Our file: **WDLAMUN13.011**
Project: **77 Brookview Drive Drainage Repairs**
Start Date: **To Be Determined**
End Date: **To Be Determined**
Budget Cost: **\$107,000.00**
Budget Status: **To Be Determined**

On February 1, 2013 a site visit was performed at the above referenced address in response to a resident complaint and to evaluate damage that occurred to a drainage outfall that is apparently owned by the Borough. The site visit was performed with former Borough Administrator Wolfgang Albrecht, Superintendent of Public Works David Antoine, and this office. In response, NEA developed a preliminary estimate of the repair work to be as follows:

- Construction (head wall and repair)	\$ 75,000.00
- Engineering and permitting	<u>\$ 20,000.00</u>
	\$ 95,000.00
- If NJDEP requires a stream study add	<u>\$ 12,000.00</u>
	\$107,000.00

On March 11, 2013 a second site visit was performed with Park Ridge Water and Sewer representatives William Beattie, Director of Operations, and William Hahn, General Supervisor. This meeting was held on-site to discuss the potential reductions in engineering and permitting costs for both entities by coordinating a joint project. Park Ridge Water and Sewer was supportive of this proposal as both sides indicated that the close proximity of the damaged outfall and exposed utility crossing will, at minimum, require the coordination of design drawings as not to adversely affect the adjacent repair.

On May 15, 2013 an on-site meeting was held with the homeowner Peter Goldsmith, former Borough Administrator Wolfgang Albrecht, and our office. The project status was discussed and the property owner was notified that the Borough has made proper appropriations in the FY2013 municipal budget to address this issue in conjunction with Park Ridge Water and Sewer's utility repair.

In late August, 2014 Park Ridge Water and Sewer indicated that an appropriation of funds for this project is now being made to address this repair as soon as practicable. Further coordination with Park Ridge Water and Sewer is being made to discuss project scheduling as well as joint permitting as a cost saving measure for both municipalities. Neglia Engineering Associates is currently preparing a proposal for survey, design, permitting, and bidding of this project for the Council's consideration.



Borough Engineer's Report
October 6, 2014
Page 4 of 5

Our file: WDLAMUN13.016
Project: Woodcrest Drive Cul-de-sac Drainage Issue
Start Date: To be Determined
End Date: To be Determined
Budget Cost: To be Determined
Budget Status: To be Determined

Two separate drainage issues exist at this location;

1. Property maintenance issues with respect to erosion of the existing stream bank.
2. Flooding of the Woodcrest Drive cul-de-sac and front yards of aforementioned properties during large rainfall events.

In regards to property maintenance, both properties abutting the stream are experiencing erosion of the existing stream bank. The most significant erosion takes place at the property north of Woodcrest Drive cul-de-sac. The residents at this property have enlisted the services of a professional engineer to design, permit, and install a retaining wall along the stream bank stabilize their side yard, minimizing its further impact on their property. The residents at the property south of Woodcrest Drive cul-de-sac are experiencing minor erosion of the stream bank. Their property also includes a large low-lying area adjacent to the stream, which commonly floods and remains saturated for extended periods of time.

The second issue is due to the inability of the Woodcrest Drive storm drain network to discharge freely to the stream. The existing outfall for this network discharges at the elevation of the streambed with little or no slope on the pipe. Although this stream does run dry at times, it commonly flows at a depth great enough to fully submerge the outfall during large storm events. As such, the Woodcrest Drive network is unable to discharge freely to the stream without first backing up to an elevation great enough to create the hydraulic pressure required to force water through the discharge pipe. The catch basin upstream of the outfall is less than 2 feet deep, providing little storage within the network before overflowing into the streets causing the cul-de-sac to flood. During large rainfall events this catch basin overflows immediately and floods the entire cul-de-sac to a great extent.

Minor relief of flooding may be attained through dredging operations and normalization of the stream bed and bank performed under an NJDEP permit in combination with reconfiguration of the existing storm drain network outfall. Preliminary scoping by our office estimated survey, engineering, and permitting fees in excess of \$30,000.

NEA is currently coordinating with the Borough to research alternative measures of flood relief which may provide a more cost effective solution to this issue.



Borough Engineer's Report
October 6, 2014
Page 5 of 5

Our file: **WDLAADM13.001**
Project: Private Pond at 14 Saddle River Road
Budget Cost: Not Applicable / Private Issue

A spillway resides within the County right-of-way and discharges through a culvert under Saddle River Road and directly into Musquapsink Brook. This spillway is operational and in fair condition. The resident and Construction Code Official noted that 15 years ago this pond was approximately 15 feet deep. They also noted that over time the earthen dam separating the upper and lower ponds had eroded significantly, thereby significantly degrading the water quality in the lower pond through the transport of sediments. These sediments were observed in the lower pond at a depth no greater than 5 feet, indicating significant loss of storage within the lower pond since failure of the earthen dam.

Review of the Borough Tax Map indicated that both the upper and lower ponds reside on private property. The lower pond resides within Block 805, Lots 1.01, 1.02, 2, and 7. The upper pond resides within Block 804 Lot 4 and Block 805 Lot 1.02. The failed earthen dam, associated concrete spillway and stone-lined channel resides between Block 805 Lots 1.02 and 1.03.

Our cursory review indicates this is a private issue between property owners in regards to the maintenance of the pond and associated outlet control structure. It is suggested that a review of any prior developer's agreements and deed records for the above referenced properties be made by the Borough Attorney to ensure that at no point prior had title to the earthen dam and associated concrete spillway been transferred into the possession of the Borough.

On January 16th the Construction Code Official, Nick Saluzzi, informed our office that a resident whose property is adjacent to the pond has been in contact with the Bergen County Mosquito Commission regarding assistance with dredging. The Commission indicated to this resident that they are able to perform the dredging if the Borough and/or residents obtain the necessary permits from NJDEP. Our office has assessed the level of effort required for surveying and permitting of this activity and, as per our original cursory review, have concluded this to be a private issue which falls under the responsibility of the property owners.

Sincerely,
Neglia Engineering Associates

Michael J. Neglia, PE, PLS, PP
Borough Engineer
Borough of Woodcliff Lake

Sincerely,
Neglia Engineering Associates

Joseph R. Vuich, PE
For the Borough Engineer
Borough of Woodcliff Lake