

**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
OCTOBER 16, 2017
6:30 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.

ROLL CALL

Council President Panso sked for a roll call. Council members Belgiovine, Gadaleta, Hayes, Herrington and Piantino were present. Borough Attorney Ron Dario was present, as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion to approve the Minutes of September 18, 2017 (Open Session) was made by Councilman Belgiovine, seconded by Councilwoman Herrington and approved by Councilman Belgiovine, Councilwoman Gadaleta, Councilwoman Hayes, Councilwoman Herrington and Council President Panso. Councilman Piantino abstained.

Motion to approve the Minutes of September 18, 2017 (Closed Session) was made by Councilman Belgiovine, seconded by Councilwoman Herrington and approved and approved by Councilman Belgiovine, Councilwoman Gadaleta, Councilwoman Hayes, Councilwoman Herrington and Council President Panso. Councilman Piantino abstained.

Motion to approve the Minutes of October 3, 2017 (Open Session) was made by Councilman Belgiovine, seconded by Councilwoman Herrington and approved and approved by Councilman Belgiovine, Councilwoman Gadaleta, Councilwoman Herrington and Council President Panso. Councilwoman Hayes and Councilman Piantino abstained.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that the Oktoberfest celebration went off very well. We had a lot of positive feedback from residents as they were leaving and some later on. Administrator Padilla publicly thanked all of our department heads, especially the fire, police, ambulance, our DPW who were very instrumental and of course, our Park and Recreation Director Elizabeth Calderone who quarterbacked the whole event. A special thanks to Councilman Belgiovine, also known as the chef that night. Councilman Belgiovine was very instrumental in clearing up any issues that occurred.

Administrator Padilla stated that there are a couple of resolutions on the Agenda for tonight. As you may know, our property maintenance officer is out on medical leave. Our property maintenance issues do not stop. Mr. Padilla is proposing to appoint Ray Blackton, DPW Superintendent and Chris Behrens, DPW Foreman, to the position on a temporary basis at least until the end of the year. We will then review it and see how it worked out. Mr. Padilla believes that it will add to the efficiency because both of these gentlemen know the town very well and are also out on the road daily. They have already addressed some issues.

The other resolution is for a shared services agreement with the County of Bergen with reference to the road program. This had been brought up a while ago. There were minor changes done by the County. Mr. Padilla had our engineer, Evan Jacobs, take a look at it as well as our in-house people. The bottom line is the County will not do any road work or paving unless this agreement is in place. The majority of the towns have already done theirs. We can then start speaking with the County as to which roads need work. Councilwoman Hayes asked which roads are going to be looked at. Mr. Padilla replied that the roads that we have received the most complaints for have been Werimus Road, Glenn Road and Woodcliff Avenue. Those roads seem to be the ones that need the most attention. The County will go through a system just like we do where they prioritize. In their case it is throughout the county but Mr. Padilla believes we could make a good case for each of those roads.

Administrator Padilla stated that fall is in full spring, especially for our DPW with leaf season. We ask our residents to please cooperate. DPW had already swept once throughout the whole town and this usually goes on until the beginning of December. We are already scheduled with Paramus for the week of December 11, 2017 for the street sweeper.

Mr. Padilla stated that we had put in for a historic grant from the State for the Lydecker House and we did not get that grant. That was a \$352,300 grant that we did not receive. Our grant writer notified Mr. Padilla late last week. We will look at some other funding sources and see what we could come up with.

The flu vaccine will be given out at the Tice Center on Thursday, October 19, 2017 from 11:30 AM to 12:30 PM. Borough employees are free. Senior citizens need to bring their Medicare Part B

card. For all others, the cost is \$20.00 per person.

Mr. Padilla stated that he will have Evan talk about the road program during his report.

ENGINEER'S REPORT

Please see attached.

Councilman Belgiovine asked if the contractors will be notifying the residents in advance. Mr. Jacobs replied that they will be doing double notification. The first letter states that they will receive a notice about the specific time and date and then they will actually get a notice to remind them that the next day they will be paving, etc.

Councilwoman Herrington stated that she is very happy that the crosswalk is going to go in by the train station and she appreciates the efforts that were taken to make it happen.

COUNCIL MEMBERS COMMENTS/REPORTS

Councilman Piantino stated that he wanted to point out that there has been a lot of discussion, emails and different comments that have been made over the last two years regarding the BMW tax appeal. We have been limited to what we can say about the case and from what he understands from Mr. Dario this is still the case. Mr. Dario replied that the decision was rendered on October 2, 2017 and they have 45 days to appeal it. That instruction from counsel doesn't constrain from pointing out some conclusions and rulings by the Judge. Mr. Dario stated that the trial court opinion is public comment. Mr. Piantino stated that when he became a Councilman, Mayor Rendo asked him to look carefully at pending litigation. He continues to go through all of our legal bills on an item by item basis to make sure that the rates are in line with market value and we are getting a service for what our legal professionals provide. Mr. Piantino stated that after evaluating the BMW case, he felt very strongly that Woodcliff Lake would prevail in connection with the matter of Dolan vs. the Borough of Woodcliff Lake. Councilman Piantino stated that he was disappointed over a period of months that Mr. Dolan had used propaganda in mailings as if to create an impression to the public that that was somehow truthful facts related to the circumstances to that appeal. Unfortunately, because of pending litigation, we all had to sit here and bite our tongues and wait patiently for the court's ruling. Mr. Piantino stated that he was very, very pleased to read Judge Novin's 33 page opinion on October 2, 2017 which ruled in favor of the Borough of Woodcliff Lake. In Mr. Piantino's opinion it vindicated the actions of the Mayor and Council at that time. Councilman Piantino stated that he is going to highlight a few things that Judge Novin said. Councilman Piantino stated that when the Resolution passed in January of 2014 of a vote of 5-0, it was a bipartisan vote. That was not a republican vote or democratic vote. It was a bipartisan vote that was unanimous. That is significant because of the reason that Judge Novin laid out in his opinion. That Mayor and that Council went through a methodology with their legal professionals on what was the best thing to do for the tax payers of this Borough and what was the best thing to do to protect the finances of this municipality. It

was not a political football. Mr. Piantino stated that the Judge said that the Mayor and Council and the actions that were taken were neither, arbitrary, capricious, unreasonable nor otherwise contrary to law. Mr. Piantino stated that he did not go to court and listen to testimony. He thought that he would wait the court's decision and see if what he thought was going to be the case was the case and the Borough would win. One of the things that he was really stunned with, was that the plaintiff, who has the burden of proof of prosecuting a claim like in any case, did not testify. The following witnesses testified in that case: BMW representative Frank Wieczorek, Councilman Belgiovine, defendant's current Mayor and former Councilman, Carlos Rendo (Mayor Rendo), Ms. Potash, Mr. Muhlstock and former Mayor Goldsmith. The plaintiff never testified in his own case. He had so much to say by way of publication, by way of mailing, by way of public comment sitting in the chairs in Council chambers, but never testified in his own case. Mr. Piantino stated that what he thought was remarkable is this insinuation that there was something untoward about what that Mayor and what that Council did in connection with this issue because there wasn't an appraisal report that was prepared in connection with that property. Had that been done, his entire case was predicated on if that document was done, that report would underscore how unfair the deal was and how favorable it was to BMW. Mr. Piantino also stated that Mr. Dolan didn't have an expert testify at trial either. All this discussion about the value of the property and the lack of an appraisal and the lack of expert opinion on what the value of the BMW property was, he never presented an expert at the time of trial regarding the value of the property per the plaintiff. You wonder, was this litigation really brought in good faith. Ultimately, the tax payers will have to be the determiner on whether or not Mr. Dolan's action was brought in good faith. This came at a cost to this Borough. It came at a cost to the municipal budget and unfortunately it came at a cost to the tax payers of Woodcliff Lake. There is not one issue here where Judge Novin has indicated any support for the plaintiff and his case. In any trial, whenever evidence is not presented, there is always an inference that that evidence will be detrimental or harmful to your case. The record will reflect, and according to this opinion, he never testified and he never had an appraiser testify as to the value of the property.

Councilman Piantino stated that he wants to point out that on page 13 Judge Novin identified Mr. Wieczorek of BMW as credibly testifying. On page 14 Judge Novin identified Mayor Rendo's testimony as credible and Mayor Rendo testified regarding his support for the Resolution and that it was based on meetings and discussions that the defendant, Borough of Woodcliff Lake's Council had with its legal counsel and its experts who are charged with the primary responsibility for defending the matter. Again on page 15, Judge Novin underscored Mayor Rendo's testimony as credible. There is never a reference here to the plaintiff's testimony or any credible positions on the part of the plaintiff.

The court found significant that the Borough of Woodcliff Lake's lawyer Mr. Muhlstock had discussions with experts and the Tax Assessor and he expressed "a best case scenario in an appraisal report would be a long way from the assessment". The Mayor and Council, a bipartisan effort, had no alternative but to move forward with the settlement to protect the financial health of this community. They did so. They got slings and arrows from Mr. Dolan and some of his friends over the course of the last several years. This opinion puts to rest all of the propaganda associated with those issues.

Councilman Piantino stated that on page 25 it says that "Mayor Rendo credibly testified that the defendant's counsel were presented with a detailed exposure analysis from its special tax appeal counsel and experts in tax appeal litigation. Mayor Rendo revealed that in private discussion between the defendant's counsel and its experts, preparation of a written appraisal report was not recommended. Mayor Rendo further explained that defendant's decision to pursue settlement, was driven, in part, by the significant risk associated with continuing defense of the tax appeal litigation. He legitimately feared that were BMW successful at trial, defendant would face certain bankruptcy". Mr. Piantino stated that those are not his words, those are the words of Judge Novin in his opinion. On page 26, Judge Novin continued, moreover, Mr. Muhlstock's December 9, 2013 letter to the defendant's Council and Mayor Goldsmith and with exhibits in an attached report, prepared with the assistance of Mr. McNerney and Mr. Anzevino, suggest a municipality not deliberately committed to resolving litigation in ignorance, but rather one that sought disclosure and informed thought, prior to consideration of any action.

Mr. Piantino stated that he could go on but he won't. This is a serious issue. He had to sit here for a long time and listen to many residents who had a perspective only from Mr. Dolan and we had to keep quiet. Mr. Piantino stated that in the months that he sat on this Council, this is the first time he is even commenting and making a Councilman's report. He typically sits here, comments on business, but never gave a Councilman's report once because his counsel told him he cannot comment on litigation.

Councilman Piantino stated that he will leave everyone with this final thought from Judge Novin's opinion. Here the plaintiff has not overcome the presumption of validity with credible, cogent evidence. That says it all. When Mr. Dolan had his day in court and Judge Novin was listening, he never testified and he never presented an expert that had an appraisal that said what he told you. For those reasons, Mr. Dolan's case was dismissed. Councilman Piantino stated that this is not the British system. Unfortunately, when we win a case we cannot always get our legal fees back. There are very limited situations under New Jersey law. But what they do have is a rule called tax costs. We can get small costs back from what it cost us, a fraction. Since his charge to this community is to monitor the legal expenses associated with this litigation, he is going to ask Mr. Dario for an opinion on whether or not we can seek reimbursement for tax costs on behalf of the residents and tax payers of Woodcliff Lake in connection with entry of judgement entered against the plaintiff in this case. If we can pursue tax costs, Mr. Piantino stated that he will introduce a Resolution and would like one of his colleagues here to second that motion and vote on pursuing an application for tax costs against the plaintiff in this case to try and get back whatever little money we can for the residents of Woodcliff Lake who had to pay for a suit that didn't have any credible or cogent evidence associated with it.

Councilman Piantino thanked everyone for allowing him to comment on the BMW tax appeal.

Council President Panso thanked Councilman Piantino for making this black and white for us we could understanding the decision.

Councilwoman Hayes asked Councilman Piantino what the next steps were after the 45 day period for appeals is over. Councilman Piantino replied that there is an appeal period and he believes Mr. Porro sent out a confidential memorandum what the open issues are that relate.

Councilman Piantino stated that he believes it is a lesson learned for folks to not always believe what you hear, to let the facts come out, and to let there be a trial. This Judge didn't dismiss this case on motion. He allowed the plaintiff an opportunity to present its case. Why the plaintiff chose not to testify he doesn't know. Why we never saw an expert with an appraisal and a number at what he pontificated was the valuation for years, we will never know. It is good for a community to have a watch dog, and it's good for the community to ask questions and pose questions to the governing body to make sure that everything is being done in a forthright and effective manner, but there is a difference between legitimate inquiry and something that is designed based on personal motive and maybe ill will. Councilman Piantino stated that when you walk out of court and you say that's great I won the case but how do I get my reputation back. Unfortunately, the Borough won this case but we all really lost. Councilman Piantino stated that before his term is up in December he will come up with a number on what it cost the tax payers for this particular resident to be your "watchdog". It is shameful. To think that money could have gone to the senior citizens' programs or to the children in this community. We are still one of the few towns in this community that don't have turf fields to play sports.

Councilman Piantino stated that he is a sitting Republican Councilman. The nonsense that Mayor Goldsmith had to endure. He could not put this community in financial peril and take a chance that that case go to trial and lose and live with the financial consequences well beyond his administration and into the future. And for the plaintiff to suggest that because he took the BMW officials to the school for a tour with the Superintendent. Councilman Piantino further stated that during the time that Mayor Goldsmith was the mayor of this community he was on the Board of Education and for nearly 2 years he was the President of the Board of Education. There are two things about Mayor Goldsmith that Councilman Piantino recalled vividly. He always wanted a relationship between the District and the school system to be a positive and gainful one and he communicated that on many occasions. He always wanted to make sure that the residents of this community got whatever it could from our corporate partners and that included BMW. There are a lot of corporate partners in this town. But he did have the common sense to know that it would always be in the best interest of the residents if we had a good relationship with our commercial and corporate partners. They donate and they do things for the communities. You and I cannot afford to do the things that these corporations do. He met with BMW and supposedly that meant that there was some kind of funny business going on with the tax appeal. They are one of our largest corporations and we should have a relationship with them. Councilman Piantino stated that he is happy for Mr. Goldsmith too on this opinion. Because whether you voted for him or not, is not the issue. He took a lot of slings and arrows over this and Judge Novin's opinion vindicates him and the five other folks that sat on the dais and voted for that Resolution.

Councilwoman Gadaleta thanked Councilman Piantino from her, her family and from all the residents in Woodcliff Lake for explaining the issue in layman terms and for vindicating the vote

that they did not take lightly as Council people. They spent a lot of time and a lot of sleepless nights analyzing all of the information and making sure they were doing what was right for this town. Councilwoman Gadaleta also thanked Councilman Belgiovine and Council President Panso for hosting a wonderful Oktoberfest. Her family had an absolute great time and there were over 300 people showed up. Ms. Gadaleta stated that she is one of the liaisons for the health department and they were talking about the influx of coyotes in the neighborhood. Ms. Gadaleta stated that she walks her dog a lot at night and she went to Dick's Sporting Goods and ordered a little air horn to take with her as she walks her dog. She is mentioning this in case anyone interested they can go there and order one as well. Councilwoman Gadaleta stated that she spoke with Fire Chief Dan Schuster today and he updated her on the fire department since she is liaison. The summer was rather quiet which is a good thing. They supplied mutual aid to Park Ridge three times for different with one of them being the big fire that everyone knows about. There was also a triple car fire up at the Bristol which was taken care of immediately. They had an open house this past week. It went very well. The kids had a great time and went for a ride on the new truck. It was a positive thing for the whole community.

Councilman Belgiovine stated that the new baler has been ordered for DPW and should be in by the end of October. The last Shredding Day of the year will be on November 4, 2017 from 9:00 AM to 1:00 PM. There is a maximum of 6 bins per person.

Councilwoman Hayes stated that she was not at the last Council meeting but would like to discuss what had transpired at that last Council meeting. Ms. Hayes stated that she has a statement that she would like to read into the record. "I am generally aware of the allegations made at the October 3, 2017 Council meeting where it was alleged that I instructed a citizen to take down a campaign sign. I deny wholeheartedly that I instructed anyone to take down your sign Councilman Panso. On that day in question, I was doing what I do normally, speaking to residents about issues in Woodcliff Lake. Why anyone would allege that that conversation was about a political sign is beyond my understanding. Furthermore, I find it interesting Councilman Panso how you were so quick to insinuate that I committed a criminal violation and all based on a third party allegation. That is the first time for me that I was ever involved with a criminal violation so it really took me back. A motion was proposed to institute an investigation with the office of ethics based on hearsay without me or the complaintive even present. Was there a respect for protocol at that meeting? I find it disturbing with the attorneys here and you are a retired police officer sitting on the dais and I just simply think it was a way to sabotage my name or a reckless political stunt all because I have possibly fallen out of favor with the Mayor. Thank goodness for the common sense of Councilwoman Jacquie Gadaleta. Thank you Jacquie, who did the right thing that night. But what I would like to turn to is the real issues at hand. I said it to you before and I'll say it again. I know we didn't agree on the Broadway Corridor Ordinance and people on this dais don't have to agree on everything and that is fine. I verbalize my opinion and as a result I think relationships on this Council became strained and I think it is really unfortunate and I am very disappointed with that. I stand firm because I was elected to this position to represent all residents and to have the best interests of Woodcliff Lake at heart. If your suggestion of criminal investigation is to move me aside, it won't work. I think this Council's better time spent on issues that affect our residents and not some promoting political agendas. That was even what I

campaigned on last year. I am not about the political agendas. I am just a mom in town trying to give back to the community and that is what I intend to do is just stick to the issues. I felt I needed to say that after I had heard what happened at the last Council meeting. Thank you."

Council President Panso replied thank you.

Borough Attorney Dario stated to Ms. Hayes that just as a quick response he knows that she hired an attorney so he is not going to ask her any questions about it and he wanted to ask you questions but you have an attorney so he had indicated that he didn't want to produce you just yet for a statement. He did speak with the complaintive Mr. Albanese who pretty much reiterated what his wife had said at the last meeting. He felt that you were trying to intimidate him to take down the sign and that your quote was that you spoke to Ms. Barbalet and she said what's up with the sign and why do they have a Panso sign. Mr. Dario stated that he also spoke to Ms. Barbalet and she said she didn't know anything about the sign and she didn't even know they had a sign up. She didn't know why her name would be used in this type of a situation. Councilwoman Hayes replied that she didn't know why Ms. Barbalet's name came up either. Councilwoman Hayes asked Mr. Dario if the sign was taken down. Mr. Dario replied that he didn't believe so. Ms. Hayes stated that it wasn't. Mr. Dario asked if at some point they could arrange a time where they could all meet. Councilwoman Hayes replied absolutely.

NEW BUSINESS

- Best Practices Checklist, led by Administrator Tomas Padilla

Mr. Padilla stated that part of our compliance with the State, the Division of Local Government Services, sends out a "Best Practices Inventory" to be completed by your municipality. Last year it was 50 questions. Most of these questions pertain to financials but some are general management, personnel and health insurance. Our CFO completed his part, Mr. Padilla completed a couple that needed to be completed by himself and also by Ms. Dakin. One of the requirements before sending it in is to ask the Mayor and Council if they have any questions pertaining to it. In order not to lose any type of aid coming from the state, we must have a passing grade and we did pass. There were a couple of items that we could not answer affirmative to, but we will continue to keep working on those. Councilman Belgiovine stated that he believed there were only three that we answered no to. One is pension and payroll which we have been working on years for and will probably be able to answer yes to next year based on the changes that we have made this year. They are looking at the budget to be approved by March which is very difficult to do since we don't even get the information by the county by then. The third one was longevity for the police department in which we are in negotiations with them at the moment. Councilman Belgiovine asked Ms. Dakin if this list has dwindled consistently over the years and Ms. Dakin replied yes it has. Councilman Piantino stated that it looks terrific. Councilwoman Gadaleta asked about the item regarding payroll and pension. Administrator Padilla replied that over the last couple of years we had different payroll companies. We are hopeful and confident that by next year we will be an affirmative on this one.

PUBLIC COMMENT

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

Bob Fischer, Woodcliff Lake, asked if the Mayor was going to be here tonight. Councilman Belgiovine replied that no he will not be here tonight because he has the Lieutenant Governor debate this evening. Mr. Fischer stated that he has a feeling that the Mayor told the folks that they are trying to settle things with the Chabad. The Zoning Board turned down the Chabad's approval to build this facility and he understands that this went to the federal court and that the Mayor had some information on that. Mr. Fischer stated that he heard through the grapevine that possibly they were making a decision on resolving it and making a deal with the Chabad with as far as allowing the building to be built. Mr. Fischer asked if that was true. Council President Panso replied that the case is before a Federal Judge and as part of his trial prep, he has ordered both sides to sit down to see if they can iron out some of their differences before a trial starts or if they do have some common ground to reach, then a trial will not be necessary. Councilman Belgiovine stated that there have been no settlement talks yet. Councilman Belgiovine stated that he is not a trial attorney but Mr. Piantino might be able to touch on this, but he thinks that this is kind of protocol. Mr. Dario replied that this is standard in every Federal case. Mr. Fischer asked if they could settle the whole thing before ever going to court. Mr. Dario replied that it is possible. Council President Panso asked Mr. Fischer if he was referring to the article that was in the paper recently. Mr. Fischer replied no. Mr. Panso stated that he thought the article in the newspaper stated way too much as to where we were in this case. Nothing has been brought back to us from our attorneys. Mr. Fischer asked if the Mayor could just go ahead and say okay. Councilman Belgiovine replied that no he cannot and the Mayor in this town does not even get a vote unless there is a tie. Council President Panso stated that it is the 6 council people that make the decision and vote on any type of situation. Administrator Padilla stated that any settlement would have to be ratified by the Council. Mr. Fischer stated that the Borough has an insurance policy and the insurance policy hires the attorney. Mr. Fischer asked where these attorneys come from and if they are assigned to us. Mr. Dario replied that they are attorneys that have a contract with the JIF (Joint Insurance Fund) so the JIF hires these attorneys. The firm that we have is a top notch firm and they are representing our interest in connection with this case. They are hired by the JIF, not by us. Mr. Piantino stated that there are lessons to be learned from the BMW case. This case is being defended. The case in Federal court is being defended. It is being defended by able counsel by the Borough. If they ever believe that the case needed to be resolved, by way of settlement, they would notify the Mayor and Council, we would have multiple meetings in closed door session, and they would explain to us what the exposure is, what the benefits of the settlement are, and what the risk would be if we didn't go into it. At that point in time, we would deliberate as a body behind closed doors and we would come to some understanding on what we think is in the best interest of the Borough moving forward. Just like the Mayor and Council did on that significant BMW tax appeal. Councilman Belgiovine stated that it took over 4 years to get to a conclusion. Councilman Piantino stated that if it ever got to that point, there would be a Resolution which this body would then enable its professionals to go ahead and draft settlement documents and execute the settlement documents. You would have an opportunity at that time to make a public comment about it. It is not going to happen in the dark of night

when nobody knows about it. Councilman Piantino stated that he has never participated in any meeting where any such proposal has been proposed to this body. Councilman Piantino stated that he doesn't know what the grapevine is, and he knows how this stuff gets started and that is kind of the whole problem sometimes. The Federal court requires that the plaintiffs and the defendants sit down and try to figure out if there is some way to settle a case. If it is the court's order, the Borough has to participate in it. Mr. Fischer stated as attorneys, there is a Land Use Attorney up in Boston by the name Robinson and Cole and is probably one of the premier groups. Mr. Dario replied that we met with them.

Rob Wolpov, Woodcliff Lake, thanked the Council for the explanation and asked if they could elaborate if the potential settlement ends up back in Council chambers. The public has a right to comment but would they have any idea of what the settlement is. Mr. Dario replied that they would know what the settlement is prior to the vote. Councilman Piantino stated that they would have the basic parameters. Mr. Wolpov stated to Council President Panso that he mentioned the article and several people are here because they read this article and it does say a lot. It insinuates that the Mayor is hopeful that there would be a settlement hopefully by the end of this year. Council President Panso replied that the Judge had instructed the Borough to sit down and to talk and he thinks that that is what the Mayor was trying to express. Mr. Wolpov also stated that the article mentioned another investigation that is going on. Mr. Dario replied that this happens in every RLUIPA case.

Diane Audino, Woodcliff Lake, asked for confirmation if everyone received a letter that she emailed last Tuesday, October 10, 2017. She received a read receipt from three council members. Councilman Belgiovine stated that he did not receive it. Councilman Belgiovine stated that the best way is to go through the clerk. Clerk Dakin stated that she should receive all correspondence so she has it in the file and she would then forward to Mayor and Council. Ms. Audino stated that the letter was representing our deep concern, when she says our she doesn't mean just her husband Marc and herself, but all of the residents on the west side of town that were very involved in objecting to the proposed development of 100 Overlook for almost 2 years with the Zoning Board. She means thousands of dollars and thousands of man hours. They all work full time and have kids to raise and working until midnight sometimes. As everyone knows, the Zoning Board rejected to the proposal because of various concerns. Ms. Audino stated that she hopes that the Council considers everything that is in that letter when the time comes. Councilman Piantino asked if she wanted to read the letter. Mr. Dario stated that the letter should not be read because he did not receive and read the letter. Mr. Dario stated to Ms. Audino to get a copy of the letter to the Clerk and she will make sure that everyone receives it. Ms. Audino asked Mr. Dario to explain the difference between mediation and settlement talks. Mr. Dario stated that mediation is when a mediator is assigned by the court and each side goes down there and puts their position before the mediator and try and find some common ground. A mediation costs money and if it is a settlement conference with the Judge the Judge doesn't charge. Ms. Audino stated that if mediation doesn't work won't the settlement conference end up in the same situation. Mr. Piantino stated that in any case there could be a failed mediation and two years down the road result in a settlement. Councilwoman Gadaleta asked Mr. Dario what the next step is. Mr. Dario replied that we are finishing up interrogatories and the next step

is depositions.

Josephine Higgins, Woodcliff Lake, asked Mr. Piantino how much have the bills been for the Chabad lawsuit. Mr. Dario replied that the Borough doesn't receive a bill because it is paid by the insurance company. Councilwoman Gadaleta stated that the insurance company pays the bills up to a limit. Councilman Piantino replied that we have not hit the limit yet. Ms. Higgins stated that she had a question about the Resolutions for overpayment of taxes. Ms. Higgins asked what we put into our budget this year to cover that. Councilman Belgiovine replied \$500,000. Ms. Higgins asked what happens if we go over that amount. Councilman Belgiovine stated that we have money in our budget reserve for tax appeals. Mrs. Higgins stated that the fireworks were fantastic at Oktoberfest. She loved them.

Cliff Levy, Woodcliff Lake, asked if all Council members read the minutes from the Zoning Board regarding the Chabad. Everyone replied yes they either read the minutes or watched the meetings on tv. Mr. Levy stated that he wanted to point out that not only Overlook, but Mill Road Ext. in particular is just wide enough for two cars to go by. When we have leaf season and the leaves are out, only one car can go through. Mr. Dario stated that one of our main arguments is a safety issue and when Chief Jannicelli spoke on that before the Board, that was one of his main issues and we are fully aware of it. Mr. Levy stated that safety is an issue.

MOTION to close to the public was made by Councilman Belgiovine, seconded by Councilwoman Gadaleta and unanimously approved by voice call vote.

CONSENT AGENDA

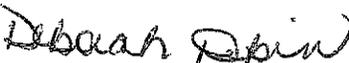
MOTION to approve the Consent Agenda was made by Councilman Belgiovine, seconded by Councilwoman Hayes and unanimously approved.

ADJOURNMENT

MOTION to adjourn was made by Councilman Belgiovine, seconded by Council President Panso and unanimously approved by voice call vote.

Meeting was adjourned at 9:40 PM.

Respectfully submitted,


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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 17-183

OCTOBER 16, 2017

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 9/30/2017	\$180,393.08
Payroll Released 10/15/2017	\$208,056.45

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:	\$ 168,062.57
General Capital:	\$ 50,865.92
Trust/Other Funds:	\$ 2.23
Police Private Duty:	\$ 48.82
Affordable Housing:	\$ 2,666.39
Escrow:	\$ 8,878.05

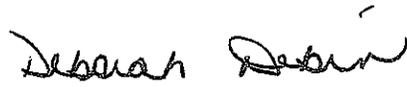
CERTIFICATION OF FUNDS

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 October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION APPOINTING PROPERTY MAINTENANCE OFFICERS IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 17-184 OCTOBER 16, 2017

WHEREAS, there is a need to appoint Property Maintenance Officers for the Borough of Woodcliff Lake; and

WHEREAS, the Borough of Woodcliff Lake has determined that D.P.W. Superintendent Raymond Blackton and D.P.W. Foreman Christopher Behrens possess the necessary skills and experience to hold the position; and

WHEREAS, Raymond Blackton and Christopher Behrens's appointment shall be effective on October 1, 2017 and continue through to December 31, 2017 with a stipends of \$1,250.00 to be provided to each individual for their service.

NOW THEREFORE, BE IT RESOLVED, that Raymond Blackton and Christopher Behrens are appointed as Property Maintenance Officers of the Borough of Woodcliff Lake. Such appointment shall be effective on October 1, 2017 and expire of December 21, 2017.

BE IT FURTHER RESOLVED, that Raymond Blackton and Christopher Behrens shall each receive a stipend of \$1,250.00 for such service.

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 October 16, 2017.

**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF
 REVENUE AND APPROPRIATION – CHAPTER 159–
 N.J.S.A. 40A: 4-87 – BODY ARMOR REPLACEMENT FUND**

**RESOLUTION NO. 17-185
 OCTOBER 16, 2017**

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts; and

WHEREAS, the Borough of Woodcliff Lake has received \$ 1,946.21 from State of NJ Criminal Justice 2017 Body Armor Fund and wishes to amend its 2017 Budget to include this amount as a revenue.

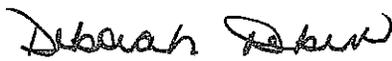
NOW, THEREFOR BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2017 Budget in the sum of \$ 1,946.21 which is now available from Body Armor Replacement Fund.

BE IT FURTHER RESOLVED, that a like sum of \$ 1,946.21 is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by Revenues
Body Armor Replacement Fund

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION – CANCEL OLD OUTSTANDING CHECKS

RESOLUTION NO. 17-186

OCTOBER 16, 2017

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the Chief Financial Officer be and is hereby authorized to cancel old outstanding checks/adjustments which are more than six months old from the Claims Account in the amount of \$1,267.64 and the Payroll Account in the amount of \$ 13,187.58 as per list on file in the Chief Financial Officer's office.

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 16, 2017.

**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES CAUSED BY TAX COURT
JUDGEMENT DOCKET #s 008005-2012, 003923-2013, 005437-2014, 005359-2015,
006233-2016 and 004667-2017**

**RESOLUTION NO. 17-187
OCTOBER 16, 2017**

WHEREAS, the owners of Block 402, Lot 2, 400 Chestnut Ridge Road, Woodcliff Lake, has been successful in their appeal to the Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value; and

WHEREAS, this has resulted in the overpayment of property taxes on this parcel for the years 2012, 2013, 2014, 2015, 2016 and 2017 in the amount of \$269,172.11; and

WHEREAS, the owners of said property have agreed in lieu of refunds and the refunds shall be paid by credit as follows:

Docket # and Year	Refund
008005-2012	\$26,811.61
003923-2013	\$52,933.30
005437-2014	\$51,111.85
005359-2015	\$50,323.60
006233-2016	\$52,879.62
004667-2017	\$35,111.13
TOTAL REFUND	\$269,172.11

WHEREAS, the credit will be applied as follows:

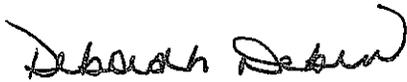
Tax Due	Tax Quarter	Amount Due
11/1/2017	4 th quarter	\$76,336.32
2/1/2018	1 st Quarter	\$83,680.00
5/1/2018	2 nd Quarter	\$83,680.00
8/1/2018	3 rd Quarter	\$25,475.79

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 credit the overpayment of \$269,172.11 for the years 2012, 2013, 2014, 2015, 2016 and 2017 to the owner of record 400 Chestnut Ridge Realty

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 October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES CAUSED BY TAX COURT
JUDGEMENT DOCKET #s 006792-2012, 003922-2013 and 005436-2014**

**RESOLUTION NO. 17-188
OCTOBER 16, 2017**

WHEREAS, the owners of Block 202, Lot 4.01, 530 Chestnut Ridge Road, Woodcliff Lake, has been successful in their appeal to the Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value; and

WHEREAS, this has resulted in the overpayment of property taxes on this parcel for the years 2012, 2013, and 2014 in the amount of \$77,430.67; and

WHEREAS, the fourth quarter tax of \$44,228.64 which is due on November 1, 2017 shall be credit in lieu of refunds; and

WHEREAS, the balance of the refund \$33,202.03 due will be paid and due on or before February 1, 2018; and

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 \$33,202.03 for the years 2012, 2013 and 2014 to the owner of record HY 2 530 Chestnut Ridge, c/o Irwin Law Firm Trust Account.

Check Mailed To:

The Irwin Law Firm, PA
80 Main Street, Suite 410
West Orange, NJ 07052

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 October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET #s 006798-2012, 003921-2013 and 005435-2014

RESOLUTION NO. 17-189 OCTOBER 16, 2017

WHEREAS, the owners of Block 202, Lot 4.02, 470 Chestnut Ridge Road, Woodcliff Lake, has been successful in their appeal to the Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value; and

WHEREAS, this has resulted in the overpayment of property taxes on this parcel for the years 2012, 2013, and 2014 in the amount of \$63,693.76; and

WHEREAS, the fourth quarter tax of \$44,214.37 which is due on November 1, 2017 shall be credit in lieu of refunds; and

WHEREAS, the balance of the refund \$19,479.39 due will be paid and due on or before February 1, 2018; and

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

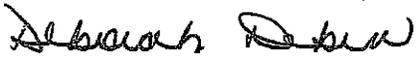
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$19,479.39 for the years 2012, 2013 and 2014 to the owner of record HY 2 470 Chestnut Ridge, c/o Irwin Law Firm Trust Account.

Check Mailed To:

The Irwin Law Firm, PA
80 Main Street, Suite 410
West Orange, NJ 07052

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 October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

A RESOLUTION AUTHORIZING TAX APPRAISAL IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 17-190 OCTOBER 16, 2017

WHEREAS, it is the advice and recommendation of the Borough Tax Counsel to seek formal appraisals for one (1) property that is the subject of the litigation pending before the Tax Court of New Jersey; to wit

1. Block 301, Lot 3.05 on the Borough Tax Map and commonly known as 100 Tice Boulevard which is owned by plaintiff, Advance at Woodcliff Lake, LLC; and

WHEREAS, the total cost for said appraisals is \$9,500.00 pursuant to the proposals submitted by McNerney & Associates, Inc. is attached hereto, and

WHEREAS, it is in the best interest of the Borough to order such appraisals; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment to McNerney & Associates, Inc. for the appraisals stated above pursuant to the proposal attached hereto.

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 October 16, 2017.

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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

CHAPTER 159 – DRUNK DRIVING ENFORCEMENT FUND

RESOLUTION NO. 17-191

OCTOBER 16, 2017

WHEREAS, N.J.S.A 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any County or Municipality when such item shall have been available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amounts; and

WHEREAS, the Borough of Woodcliff Lake has received \$ 3,000.00 from N J Highway Safety- Division of Motor Vehicles - Drunk Driving Enforcement Fund and wishes to amend its 2017 Budget to include this amount as a revenue.

NOW, THEREFOR BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an Item of Revenue in the 2017 Budget in the sum of \$3,000.00 which is now available as a revenue from State and Federal Grants off-set by revenue;

BE IT FURTHER RESOLVED, that a like sum of \$ 3,000.00 and the same is hereby appropriated under the caption

General Appropriations
Operations Excluded from CAPS
State and Federal Programs Offset by Revenues
Drunk Driving Enforcement Fund

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION TO AUTHORIZE SHARED SERVICE AGREEMENT WITH BERGEN COUNTY AND THE BOROUGH OF WOODCLIFF LAKE CONCERNING THE COUNTY'S ROAD RESURFACING PROJECT

RESOLUTION NO. 17-192 OCTOBER 16, 2017

WHEREAS, the County of Bergen maintains and controls approximately 450 miles of County roads; and

WHEREAS, maintenance of the County roads requires periodic resurfacing for the benefit of the drivers and residents of Bergen County; and

WHEREAS, the County's Department of Public Works performs this resurfacing through periodic Road resurfacing Projects; and

WHEREAS, the County's Road Resurfacing Projects require cooperation and coordination between the County and the seventy municipalities in which the County roads are located; and

WHEREAS, a formal agreement between the County of Bergen and the seventy municipalities in which the County will undertake road resurfacing activities will serve to memorialize the respective responsibilities of the County and the municipality in connection with a Road Resurfacing Project; and

WHEREAS, N.J.S.A. 40A:65-4(a)(1) states, in part, that “any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction;” and

WHEREAS, the County and the seventy municipalities within Bergen County are “local Units” under N.J.S.A. 40:65-4 (a)(1), authorized to enter into shared services agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40:65-1 et seq.; and

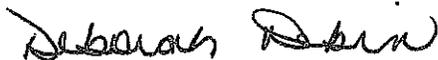
WHEREAS, County Counsel has, with the input of the Department of Public Works (Supervisor of Roads) and the Department of Planning and Engineering (County Engineer), prepare a form of shared services agreement for execution between the County of Bergen and each municipality in which the County will carry out its Road Resurfacing Project, a copy of which is annexed hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Mayor is authorized and the Borough Clerk shall attest to an Inter-Local Agreement between the County of Bergen and the Borough of Woodcliff Lake for the County to carry out its Road Resurfacing Project pursuant to the terms of the Agreement attached hereto; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the County of Bergen and a copy of the contract for such services shall be on file for public review with the Borough Clerk.

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 October 16, 2017.



**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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

RESOLUTION AUTHORIZING RAFFLE LICENSE TO TEMPLE EMANUEL OF THE PASCACK VALLEY

RESOLUTION NO. 17-193

OCTOBER 16, 2017

WHEREAS, application has been made by Temple Emanuel of the Pascack Valley for a pocketbook bingo license and a raffle license to be held at 87 Overlook Drive, Woodcliff Lake, New Jersey on November 30, 2017;

WHEREAS, said application has been submitted to the Woodcliff Lake Police Department for investigation and have been found to be in good order.

NOW, THEREFORE, BE IT RESOLVED that the raffle and bingo applications of Temple Emanuel of the Pascack Valley is hereby approved and the Borough Clerk is authorized to issue Raffle License RA17-02 and BA17-03.

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 October 16, 2017.

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
Belgiovine	X		X			
Gadaleta			X			
Hayes		X	X			
Herrington			X			
Piantino			X			
Panso			X			
Mayor Rendo						

**RESOLUTION AUTHORIZING AN INTER-LOCAL AGREEMENT
BETWEEN THE COUNTY OF BERGEN AND THE BOROUGH OF WOODCLIFF LAKE FOR THE
PROVIDING OF FLU VACCINATIONS IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 17-194
OCTOBER 16, 2017**

WHEREAS, the County of Bergen, Department of Health Services offers a program in which municipalities may contract with the County for the purpose of providing flu vaccination to the residents of the municipality; and

WHEREAS, the Mayor and Council of the Borough of Woodcliff lake deem it in the best interest of the Borough to provide such service to the residents of Woodcliff Lake; and

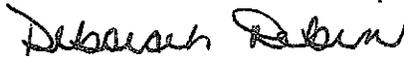
WHEREAS, pursuant to N.J.S.A. 40A:65-1, et seq., any municipality of the State of New Jersey may contract with any other State agency, County, municipality or municipalities for the shared provision of any service that any party to the agreement is empowered to provide within its own jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Mayor is authorized and the Borough Clerk shall attest to an Inter-Local Agreement between the County of Bergen and the Borough of Woodcliff Lake for the purpose of providing flu vaccination to the residents of the municipality pursuant to the terms of the contract provided by the County of Bergen which is attached hereto; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the County of Bergen.

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 October 16, 2017.



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

ENGINEER'S REPORT
BOROUGH OF WOODCLIFF LAKE
OCTOBER 16, 2017

1. 2017 Municipal Road Program

Start Date: October 3, 2017
End Date: November 23, 2017 (tentative)
Budget Cost: \$500,000 (municipal) + \$150,000 (NJDOT FY2016 Grant) + \$150,000 (NJDOT FY2017 Grant)
Status: Construction Contract Recommended for Award at August 16th Council Meeting

The 2017 Municipal Road Program officially began construction on October 3, 2017. The contractor has virtually completed all concrete curb, sidewalk, and ramp work for the project. NEA is currently awaiting the contractor's milling and paving schedule for the project, specifically including the scheduling of paving work on Shaw Road. NEA will provide the Borough with an update as soon as the information is available.

2. Bank Stabilization and Outfall Reconstruction at 77 Brookview Drive

Start Date: To Be Determined
End Date: To Be Determined
Budget Estimate: \$160,377.50 (NEA Preliminary Estimate dated March 6, 2017)
Status: Survey and Wetland Delineation completed, design ongoing, permit submission pending

On September 29, 2017, a meeting was held at the subject property with the Goldsmith's (77 Brookview Drive) and Ms. Schair (69 Brookview Drive) regarding the permitting and anticipated construction of the proposed bank stabilization and outfall reconstruction. Both property owners were provided with copies of the NJDEP permitting applications, for which they would be co-signing as property owners alongside the Borough as the applicant.

In addition, upon further inspection of the site, it was determined that the least impactful means of access to the bank would be on the north side of the dwelling, as opposed to the south side through the existing drainage easement. This revised access will result in no additional tree removal, and will likely not impact any other features in the rear yard of 77 Brookview Drive. The revision to the means of access affects the permitted disturbance areas and associated plans already prepared, to date. As such, NEA is in the process of revising and finalizing the design plans while awaiting the signed NJDEP permit application from both property owners. NEA will submit the permit applications shortly after receipt of all required signed documents. NEA anticipates submission to the NJDEP by the end of the month. Bid documents will be finalized before the end of the year, and will likely go out to bid in early 2018, for spring 2018 construction.

3. Glen Road Culvert

Budget Estimate: \$310,316.00 (estimate by Brooker Engineering, last revised July 6, 2016)

NEA understands that while the overall scope of the project has been defined, there has been disagreement between Park Ridge and Woodcliff Lake regarding financial responsibility for the repairs/improvements. NEA is in the process of coordinating with Brooker Engineering to setup a meeting to discuss the project. NEA will provide an update once this meeting has occurred.



4. Werimus Lane Bridge Repair

Start Date: October 1, 2015
End Date: May 13, 2016
Part 1 Repairs: \$18,000.00 total (50/50 cost sharing), completed in 2016
Part 2 Repairs: \$300,750 total (Hillsdale Preliminary Estimate, November 2015)

NEA understands that Phase 1 of the culvert repairs has been satisfactorily completed. The Borough of Hillsdale remains the lead agency for the remaining repairs recommended in the TranSystems' inspection report, including repair and replacement of gabion walls estimated at \$300,750. Per recent direction from the Mayor and Council, NEA will coordinate and schedule meetings with the Administrators of both Boroughs to define project improvement limits, review estimated construction costs, and agree to terms on the cost responsibilities of each municipality. NEA will then prepare and submit a proposal to the Boroughs for survey, design, permitting, bidding, and construction management of the project as a competitive bid to a proposal to be provided by Hillsdale's Borough Engineer.

5. Bear Brook & Glen Road Erosion Repairs

Start Date: To Be Determined
End Date: To Be Determined
Budget Cost: To Be Determined
Budget Status: To Be Determined

During coordination related to the above-referenced Glen Road Culvert repair project, the Borough of Woodcliff Lake was notified by Park Ridge of erosion observed on the stream bank of the Bear Brook directly upstream from 38 Glen Road. This observation was made by Park Ridge Borough Engineer, Eve Mancuso, P.E., while responding to a complaint from the property owner at 27 Glendale Road in the Borough of Park Ridge. Her concern is that this area of the bank is adjacent to Glen Road and any further deterioration or erosion could jeopardize the structural integrity of the embankment of the elevated Glen Road at this location.

Shortly thereafter, NEA made inspection of the affected area with Brooker Engineering and representatives from each Borough. NEA observed erosion of the stream bank between the private property at 38 Glen Road and an existing stormwater outfall approximately 100 to 200 feet upstream. Also observed was the significant transport of sediments and large quantities of both rip rap and river stone by previous flood waters from their upstream origin through the affected area of residential properties at 38 Glen Road (Woodcliff Lake) and 27 Glendale Road (Park Ridge). As such, Mrs. Mancuso suggested coordination of a joint stream restoration project between Boroughs. Park Ridge already intends to perform minor de-silting and de-snagging to remove accumulated river stone for the diverted portion of the stream adjacent to 27 Glendale Road to normalize the channel back to its prior cross-section for the benefit of the Park Ridge resident. She suggested that the Borough of Woodcliff Lake do the same for the diverted portion of the stream adjacent to 38 Glen Road, for the benefit of the Woodcliff Lake resident, while also addressing the concern of the eroded embankment upstream relative to Glen Road.

Please note that in July 2014, the Borough of Woodcliff Lake had previously assisted the homeowner at 38 Glen Road with removal of large fallen trees, tree limbs, and a gabion basket from their property and the Bear Brook by the Bergen County Mosquito Commission under the limitations of the Flood Hazard Area Control Act Permit By Rule statute immediately following the significant flash flood event that caused this damage. The homeowner was also provided direct contact to staff at NJDEP who could assist the homeowner with any further desired stream stabilization on private property that would require permits.

Review of the current tax map confirms that the affected portion of the Bear Brook resides entirely on private property. As such, participating in a joint project with Park Ridge for the sole benefit of each resident would



be at the discretion of Mayor and Council. NEA recommends assessment of the eroded stream bank with a geotechnical engineering consultant relative to the stability and structural integrity of the embankment supporting the elevated Glen Road. Should the existing conditions be unstable, the Borough would have a vested interest in any improvements to this private property relative to the eroded stream bank and therefore warrant discussion of a joint project effort with Park ridge to realize cost savings opportunities relative to both NJDEP permitting as well as construction.

We trust you will find the above in order. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,
Neglia Engineering Associates

Evan M. Jacobs, P.E., P.P.
For the Borough Engineer
Borough of Woodcliff Lake

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