



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES  
NOVEMBER 20, 2018  
8:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Mayor Rendo asked for a roll call. Council members Gross, Hayes, and Singleton were present. Borough Attorney Brian Eyerman was present as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Council President Belgiovine and Councilwoman Gadaleta arrived at 7:05 PM and Councilwoman Herrington arrived at 7:10 PM.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

**CLOSED SESSION**

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

**RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION**

**RESOLUTION NO. 18-243**

**AUGUST 20, 2018**

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

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

1. Personnel Matters/Contracts
2. Potential Litigation

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

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

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2018.



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

**APPROVAL OF MINUTES**

Motion to approve the October 15, 2018 Minutes (Open) was made by Councilwoman Gross, second by Council President Belgiovine and approved by Council President Belgiovine, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

**MAYOR'S REPORT**

Mayor Rendo stated that Oktoberfest was another huge success. The fireworks were great, and

everybody had a good time. Kudos to Park and Recreation liaisons and Elizabeth Calderone for putting this together again. We are now working on the Spring Festival.

Mayor Rendo stated that former Mayor Goldsmith said to him that good candidates make good council people. This will be Mrs. Gadaleta's third term and that statement is so true. We welcome Councilwoman Gadaleta back on the Council and he congratulated her the day of the election and we welcome Mr. Spelling and look forward to working with both of you.

The Department of Environmental Protection approved our application for the walkways around the reservoir. There are a few minor changes that Suez is working on and it is going for final approval. Once we get the approval from the Watershed Commission we are good. Great job by Councilwoman Herrington on leading that effort.

Mayor Rendo stated that he received an email from a resident and because of that email he contacted Congressman Gottheimer's office. There is an issue with public transportation. The bus companies are either cancelling the buses at the last minute or not coming at all. This is leaving our residents stranded. Holly Schepisi's office is working on the bus situation. We agreed to put a committee together. Several residents already responded to that request to meet with Rockland Coaches and explain to them the situation.

Mayor Rendo stated that the Pulte Homes project was started by Mike Kasparian and Woodcliff Lake Investors. Mike Kasparian bought that property and petitioned the town to put an Overlay Zone on that property. Mike flipped that approval to Pulte Homes and Pulte Homes. We requested from Mr. Kasparian our affordable housing fee and his company refused to pay us. He sued us for summary judgement. His argument was that the Overlay zone invalidated our existing ordinances concerning the payment of the affordable housing fees to the municipality. We won the case from the Superior Court. He appealed to the Appellate Court and we won. He then appealed to the NJ Supreme Court. We just received the decision this week that the NJ Supreme Court refused to accept the case. Mayor Rendo thanked Mark Leibman, Esq. for working on the case.

Mayor Rendo thanked Mr. Padilla, Councilwoman Gadaleta, Council President Belgiovine and Ray Blackton for being on top of the storm. Mayor Rendo stated that Woodcliff Lake was clean and plowed. Ray Blackton and his men did a phenomenal job.

Mayor Rendo stated that with regards to Resolution No. 18-241, he asked Mr. Padilla to put this on the Agenda. Essentially what is going on is that this company from California is building a gas piping line from the border of North Bergen/Ridgefield and putting that pipeline underneath all of New Jersey straight to Manhattan to fuel Manhattan. No benefit for New Jersey. This is an important environmental issue that could be an environmental disaster.

Mayor Rendo stated that he went down to the League of Municipalities and thanks to the work of Councilwoman Herrington, Councilwoman Hayes, our Green Team and our Shade Tree Committee who worked together to certify Woodcliff Lake on their Sustainable New Jersey.

Mayor Rendo thanked Councilwoman Gross for joining him at the League of Municipalities.

### **ADMINISTRATOR'S REPORT**

Mr. Padilla stated that kudos goes to Ray and the DPW staff. Not only were they preparing that morning, but they were preparing the week before. Mr. Padilla asked the residents that when there is a snow storm coming could you please wait to put the leaves out until after the snow. The guys were trying to get ready and there were people still putting leaves out. They were back out gain this week after the snow cleaning up the leaves. December 2, 2018 should be the last day to put the leaves out. That may have extended depending on Mother Nature. This is no garbage pick-up on Thanksgiving.

For those that been on Council for a few years, we have a Best Practices questionnaire that is sent out by the State every year. It is a series of questions that they ask, and we need to respond to. Based on your answers the State will sometimes penalize and withhold state funding. This year they added questions. Last year there were 25-30 questions and this year there were 61 questions. Mr. Padilla is happy to report that once again for this year we were able to answer in the affirmative or prospective to 47 of them. Therefore, we will not have any monies withheld from the state. Mr. Padilla thanked Mr. Laufeld for his work on this since most of the questions were on finance. Mr. Padilla also thanked the elected officials because one of the questions was if all your elected officials complete their financial disclosure forms.

Mr. Padilla thanked Councilwoman Gross and Councilwoman Hayes because the bids are out for the demo and remediation work at Galaxy Gardens. They are due back next Wednesday. If the bids are successful, we are looking to award that at the December 4, 2018 meeting. Bids for road paving are also out. We are bidding it out now for the work to be done in the spring.

There is a resolution on tonight. As you know we had approved to do the electrical work at Bagley field which is our contribution this year to the schools. When the contractor when out and began to run the new lines for the new poles that they are putting up, they discovered that the old lines that were run there were grossly misplaced. Some were 4 inches underground and these are 480-volt lines without conduit.

### **ENGINEER'S REPORT**

Please see attached.

### **COUNCIL MEMBERS' REPORTS/COMMENTS**

Councilwoman Gross stated that Oktoberfest was a great event and that \$533.00 was collected for Breast Cancer Awareness from our vendors and our food vendors did fantastic. Ms. Gross stated that she was privileged to attend the Veterans Day celebration at the Bristol where they honored the residents that have served. Councilwoman Gross stated that several years ago a resident, Jamie Schwartz, was looking for a volunteer opportunity for his son to really engage

with the community and he connected with the Newark Apostle House and started to make Thanksgiving meals for families. Over the years, they have taken on the name NEST, No Empty Stomachs Tonight. He started this with a group of families initially and has really grown. This year they distributed 750 bags of food. Councilwoman Gross stated that we have been working on the bridge at the pool. We found out that the steel there was deteriorating, and we realized needs to be fixed. We are working on dates for next year for Parks and Recreation. The Tree lighting is November 30 and the Menorah lighting is December 3<sup>rd</sup>. Our senior program continues to thrive under the leadership of Marilyn Clark. She impresses everyone.

Councilwoman Gadaleta stated that two Fridays ago a woman was driving on Pascack Road and glanced over and saw that a garage with flames coming out of it. She pulled the car over, ran to the door and knocked on it, alerted the mom and 4 kids and got them out. Our volunteer fire department was there in 2 minutes. They had water on the scene within 5 minutes. Completed extinguished the fire and everything was taken care of. No injuries to the homeowners or to our fire department. Thanks to Montvale, Park Ridge, Hillsdale, Westwood and Tri-Borough Ambulance because they all came. Mayor Rendo, Chief Jannicelli and Councilwoman Gadaleta contacted the Hilton and were able to get them a discount rate and was able to stay up there so they could be local for the kids in the school system. They only moved to town 1 ½ months ago. Mayor Rendo asked that we find the person who pulled over to help them so that they Mayor and Council could honor her. The good Samaritan is a Woodcliff Lake resident. Mayor Rendo thanked Councilwoman Gadaleta and Chief Jannicelli. All three of them visited them at the Hilton to make sure all was good and bought them pizza and soda. Councilwoman Gadaleta stated that she thought that we had someone, whether it be in Borough Hall or Council, as liaison to any family that does experience a tragedy, or a loss and we don't. Maybe this is something for 2019 to consider. Mayor Rendo agreed that we should think about this and add to the Agenda. What happens in case of an emergency or travesty. The Red Cross is very limited with their resources. Councilwoman Hayes stated that back when Councilwoman Gross and Councilman Singleton were running for Council, Councilwoman Gross had a great idea of having a liaison for different parts of the town.

Councilwoman Herrington stated that a few months ago Councilwoman Gross called her and asked what do we do with plastic bags? Nancy brought up the issue and Councilwoman Herrington appreciates her interest in pushing it forward. We do have a partnership. The schools will receive the plastic bags and they are competing with other schools in a contest with Trex Decking to see which of the schools can collect the most plastic bags between now and April 15<sup>th</sup>. If you have plastic bags or plastic films, all the plastic things that you are not allowed to put into the dumpster, you can take them into the schools and drop them off. There will be receptacles there to receive them. The winner receives a park bench to be put at the school. This is a partnership between Green Team, ACME and the schools.

Councilwoman Herrington stated that she has a question on the Bills List. Councilwoman Herrington stated that she doesn't understand one of the items on the Bills List. It is a payment for \$2,115 for Diane for reimbursement of COBRA health insurance and asked that it be explained. Administrator Padilla stated that we may have to hold off on that for a separate



Introduction

Ordinance 18-15

An Ordinance to Add Chapter 43 Entitled "Open Space Trust Fund" to the Borough Code of the Borough of Woodcliff Lake, New Jersey

MOTION to introduce Ordinance 18-15 was made by Council President Belgiovine, second by Councilwoman Gadaleta.

### **PUBLIC COMMENT**

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

Ulises Cabrera, Woodcliff Lake, thanked the Mayor and Council for their dedicated service. Mr. Cabrera asked when PSE&G might be done with the work they are doing. Additionally, Mr. Cabrera asked if PSE&G has paid any of the money for police overtime. Mr. Padilla responded that they have. Mr. Cabrera suggested that that money be put in a fund so when police officers retire you have the funds to pay them their accumulated sick days. Mr. Padilla stated that we have a fund set aside for sick reimbursement. Mr. Cabrera asked the Mayor and Council to investigate the light that is shining on the sign at Galaxy Gardens.

Alex Couto, Woodcliff Lake, congratulated the Council members that won the election and wished the Mayor, Council and staff a Happy Thanksgiving.

Craig Marson, Woodcliff Lake, stated that his question before regarding the COAH fees, was did you force bonding relative to the appeal and if you did then are you going to collect and if you didn't bond how do you collect? Does he have assets that are attachable, etc. Administrator Padilla stated that they must give half the money when the building permit is issued for that unit and the other half is collected once it is sold. They don't receive a Certificate of Occupancy until it is paid.

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

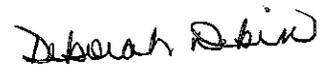
### **CONSENT AGENDA**

MOTION to approve the Consent Agenda as amended to Resolution No. 18-244 entitled "A Resolution Approving Retirement and Corresponding Benefits of Police Chief Anthony Jannicelli in the Borough of Woodcliff Lake, Bergen County, New Jersey" was made by Council President Belgiovine, second by Councilwoman Gross and approved by Council President Belgiovine, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

**ADJOURNMENT**

MOTION to adjourn was made by Council President Belgiovine, second by Councilwoman Gross and unanimously approved by voice call vote. Meeting was adjourned at 9:15 PM.

Respectfully submitted,



Deborah Dakin, RMC, CMR  
Borough Clerk

**OCTOBER ENGINEER'S REPORT**  
**BOROUGH OF WOODCLIFF LAKE**  
**NOVEMBER 20, 2018**



**1. Bank Stabilization and Outfall Reconstruction at 77 Brookview Drive**

Construction activities are on-going at the site. We are coordinating with the contractor regarding the specific limit of disturbance and methods of construction. We are also coordinating with Park Ridge Water regarding a water line near the proposed reconstructed outfall. NEA will provide updates as construction progresses.

**2. 2018 Municipal Road Program**

The contract documents (i.e. plans and specifications) have been completed. The project is currently out to bid; with bids to be received by Tuesday, December 11, 2018. The project will be constructed in the Spring of 2019, as soon as weather conditions and temperature permit.

**3. Galaxy Gardens – Phase I – Soil Remediation Land Use Permitting**

NEA has obtained the Flood Hazard Area Individual Permit from the NJDEP. Additionally, through much coordination with the Borough's new LSRP, First Environment, the contract documents have been completed and the project is out to bid. Bids are due on Wednesday, November 28, 2018. Assuming acceptability of the bids, the project could be awarded at the December 4, 2018 Mayor and Council meeting. NEA will provide updates as more information is available.

**4. Glen Road Bridge (Culvert)**

NEA coordinated with the Borough's grant writer (Millennium Strategies) to assist in their application to the NJDOT Local Aid Infrastructure Fund (LAIF) for the improvements to the bridge. NEA understands that the application was filed by Millennium Strategies. NEA will provide an update as more information is available.

**5. 2017 Municipal Road Program**

The 2017 Municipal Road Program included the following roadways: Wyandemere Road, Windham Court, Wildwood Road, Benjamin Court, Shaw Road, and the Municipal Pool Entrance driveway. The project began construction on October 3, 2017. As of December 4, 2017, the contractor has virtually completed all work for the project. NEA is currently preparing a punch-list of any outstanding issues to be addressed, once the weather permits. NEA will provide the Borough with an update as soon as the information is available.

**6. Coordination with Bergen County Paving Program**

The Borough of Woodcliff Lake was informed by Bergen County that the following County Roads will be repaved as part of the 2018-2019 Proposed County Aid Resurfacing Program:

- Broadway (Hillsdale line to Park Ridge line);
- Glen Road (Park Ridge line to Chestnut Ridge Road);
- Pascack Road (Woodcliff line to Park Ridge line);
- Prospect Avenue (Park Ridge line to Broadway);
- Saddle River Road (Werimus Road to Chestnut Ridge Road);
- Werimus Road (Woodcliff Avenue to Glen Road); and
- Woodcliff Avenue (Broadway to Werimus Road).

The Borough would be responsible to perform the following improvements prior to the County repaving:



- Install all necessary ADA ramps (NEA to coordinate with the Bergen County ADA Ramp Coordinator);
- Inspect the conditions of the Borough's curbs and make any repairs or replacements;
- Completing any existing streetscape or intersection projects;
- Notify municipal utilities to perform all necessary leak testing and complete repairs (including coordination with PSE&G's GSMP Project);
- Notify the Building Department to ensure that all necessary work needed to be completed on curbs, driveway aprons, sewer and utility connections are completed;
- Inspect and remove, if necessary, any paver and/or concrete crosswalks; and
- Inspect sanitary sewer manholes and frames to assess their condition (Bergen County can remove, replace, and reset frames and covers if supplied by the Borough).

NEA met with Bergen County regarding the ADA curb ramp construction along the County's roadway resurfacing project limits. NEA is in the process of preparing a proposal for the surveying and engineering design required to submit to the County for inclusion under their contract for the curb ramp work.

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.

Respectfully submitted,  
Neglia Engineering Associates

A handwritten signature in black ink, appearing to read 'E. M. Jacobs', is written over the typed name.

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

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**ORDINANCE NO. 18-13**

**AN ORDINANCE AMENDING THE CODE OF THE  
BOROUGH OF WOODCLIFF LAKE TO INCLUDE MANDATORY  
AFFORDABLE HOUSING SET-ASIDE REQUIREMENTS**

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court and established a transitional process for municipalities, like the Borough of Woodcliff Lake ("Borough"), to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSPs") as being constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

**WHEREAS**, the Borough filed a declaratory judgment action with the New Jersey Superior Court seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period; and

**WHEREAS**, the Borough has entered into settlement negotiations and executed a Settlement Agreement with the Fair Share Housing Center ("FSHC") which included agreement on the extent of the Borough's affordable housing fair share obligation for the period from 1999 to 2025 and the methods the Borough intends to use to satisfy the obligation; and the Borough has prepared a Housing Element and Fair Share Plan ("FSP") to achieve this goal; and

**WHEREAS**, to facilitate such settlement and in compliance with its FSP, the Mayor and Council of the Borough of Woodcliff Lake have deemed it in the best interests of the Borough to amend the Borough Zoning Ordinance so as to adopt a mandatory set-aside ordinance that requires that all new multi-family residential development to provide a mandatory affordable housing set-aside as set forth herein; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Governing Body of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey as follows:

**SECTION ONE.** Chapter §380, Zoning of the Code of the Borough of Woodcliff Lake is hereby amended and supplemented with the addition of the following:

**Article § 380-16A : Mandatory Affordable Set-Aside**

**Section 16A-1. Purpose**

A. Except as otherwise regulated in this chapter, any multifamily residential development or redevelopment application proposing five (5) or more new dwelling units shall be required in the case of for-sale projects to set aside twenty percent (20%) of said units for affordable housing, and in the case of rental projects, to set aside fifteen percent (15%) of said units for affordable to low- and moderate-income households.

B. This requirement shall apply to all new multi-family residential development of five (5) or more units that become permissible through either a use variance, a density variance increasing the permissible density at the site, a rezoning permitting multi-family residential housing where not previously permitted, or new redevelopment plan.

C. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of the Borough of Woodcliff Lake to grant such rezoning, variance or other relief. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.

D. All such affordable housing units shall comply with the requirements of the Woodcliff Lake Code relating to affordable housing and the Uniform Housing Affordability Controls, (N.J.S.A. 5:80-26.1 et seq.).

**SECTION TWO.** All Ordinances of the Borough of Woodcliff Lake which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**SECTION THREE.** Any section, subsection, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION FOUR.** This Ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

Date: October 15, 2018

Attest: Deborah A. Dakin, Borough Clerk

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

**ORDINANCE NO. 18-14**

**AN ORDINANCE TO AMEND CHAPTER 255 ENTITLED "PEDDLING AND SOLICITING" OF THE  
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

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

**WHEREAS**, there is a need to amend Chapter 255 of the Borough of Woodcliff Lake Code entitled " Peddling and Soliciting" to make same consistent and compliant with current State and Federal law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, that Chapter 255 of the Borough of Woodcliff Lake Code entitled " Peddling and Soliciting shall be amended and shall be read and numbered as follows:

**Section 1:** That the definition of **NON-PROFIT ORGANIZATION** contained in §255-2 is stricken in its entirety.

**Section 2:** That the definition of **CHARITABLE ORGANIZATIONS** shall be added to §255-2 and shall read as:

**CHARITABLE ORGANIZATIONS**

Any person which is or holds itself out to be organized or operated for any charitable purpose.

**Section 3:** That the definition of **PEDDLER** contained in §255-2 is stricken in its entirety and replaced with the following language and shall now read as:

**PEDDLER**

Any person traveling from house to house or from street to street carrying, conveying or transporting goods, wares and merchandise, offering and exposing the same for sale or making sales of food by traveling from house to house or who shall sell or offer the same for sale from a wagon, automotive vehicle, motor truck, railroad car or other vehicle or conveyance, and further provided that one who solicits orders and, as a separate transaction, makes deliveries to purchasers a part of his/her scheme or design to evade the provisions of this chapter shall be deemed a "peddler," subject to the provisions of this chapter. The word "peddler" shall often include the words "hawker" and "huckster."

**Section 4:** That the definition of **PERSON** shall be added to §255-2 is stricken in its entirety and shall read as:

**PERSON**

Any individual, organization, trust, foundation, association, partnership, corporation, society or other group or combination acting as a unit.

**Section 5:** That the definition of **SOLICITOR** contained in §255-2 is stricken in its entirety and replaced with the following language and shall now read as:

**SOLICIT and SOLICITATION**

The request, directly or indirectly, for the donation of money, property, anything of value or financial assistance of any kind, and shall include the selling or offering for sale of any property, real or personal, tangible or intangible, whether of value or not, including but not limited to goods, books, tags, service emblems, tickets, publications or subscriptions to publications or brochures, and conducted from house to house or on the public streets. A "solicitation" is complete when the solicitation is communicated to any individual then located within the corporate limits of the Borough of Woodcliff Lake.

**Section 6:** That §255-3 is stricken in its entirety and replaced with the following language and shall now read as:

**§255-3 UNLAWFUL SOLICITATION.**

It shall be unlawful for any person, directly or through an agent or employee, or for a peddler, solicitor or canvasser to ply or conduct his/her trade or solicitation within the Borough of Woodcliff Lake without having first obtained a Certificate of Registration from the Borough Clerk, as hereinafter provided.

- A. It shall be unlawful for any person, individually or as the agent or employee of a person, or for any peddler, solicitor or canvasser to ply or conduct his/her trade or solicitation within the Borough unless his/her principal or employer has received a certificate of registration, as hereinafter provided.
- B. It shall be unlawful for any person or for any peddler, solicitor or canvasser to ply or conduct his/her trade or solicitation within the Borough without visibly displaying an identification card issued to that person by the Borough Clerk, as hereinafter provided.
- C. It shall be unlawful for any peddler, solicitor or canvasser to ply or conduct his/her trade or to solicit between the hours of 30 minutes after sunset and 9:00 a.m. on any day.
- D. It shall be unlawful for any person, directly or through an agent or employee, or for any peddler, solicitor or canvasser to ply or conduct his/her trade or to solicit within the Borough of Woodcliff Lake after expiration of any certificate of registration.
- E. It shall be unlawful for any person engaged in solicitation or for any peddler, solicitor or canvasser to knock at the door or ring the doorbell of any home, apartment or any other dwelling unit in the Borough upon which is clearly displayed at the entrance, a notice which reads "No Solicitors" or which

otherwise clearly purports to prohibit solicitation on the premises, unless such person is or has been invited upon the premises by the occupant thereof.

**Section 7:** That section §255-5 is stricken in its entirety and replaced with the following language and shall now read as:

**§255-5 REGISTRATION REQUIRED**

All persons, except as otherwise provided in this chapter or by law, desiring to solicit for charitable or other purposes or to peddle, solicit or canvass within the Borough shall file with the Police Department prior to any such solicitation, a solicitation application on forms provided by the Police Department containing the following information:

- A. The name of the person registering and desiring to solicit or to peddle, solicit or otherwise canvass.
- B. Whether the person registering is a natural person, partnership, or corporation and:
  - i. If a natural person, the business and residence address and telephone number must be given.
  - ii. If a partnership, the names of all partners and the principal business address and telephone number of each partner must be given.
  - iii. If a corporation, the person registering must state whether it is organized under the laws of New Jersey or is a foreign corporation and must state the mailing address, the business location, the telephone number, the name of the individual in charge of the local office of such corporation.
- C. The name, address, date of birth, social security number, personal photograph(s) and complete driver's license information of the person or persons who shall be conducting the solicitation or otherwise peddling, soliciting or canvassing.
- D. A brief description of the nature of the business and the goods to be sold or services to be performed for which funds are to be solicited and an explanation of the intended use of the funds toward that purpose.
- E. The time-period within which the solicitation or the peddling, soliciting or canvassing is to be conducted, giving the date of the commencement and termination of the effort.
- F. If a vehicle or vehicles are to be used in the solicitation, a description of the same, including year, make and model, together with a Certificate of Registration plate number, registration certificate information and liability insurance information or other satisfactory means of identification.
- G. The names of any other municipalities in which the person registering has solicited or otherwise peddled, solicited or canvassed within the previous 12 months.

**Section 8:** That section §255-6 is stricken in its entirety and replaced with the following language and shall now read as:

**§255-6 PROCEDURE UPON FILING SOLICITATION APPLICATION.**

The Department of Police shall review the registration statement to determine its compliance with the terms of this chapter within 48 hours after receipt of the same.

Thereafter, upon payment of the prescribed fee or in the event of an applicant who is not required to pay a fee, the Borough Clerk shall either issue a certificate of registration within 48 hours or notify the person registering that the registration statement does not comply with the requirements of this chapter and to specifically point out the information that has not been furnished and that is required before a Certificate of Registration can be issued.

**Section 9:** That §255-7 is stricken in its entirety and replaced with the following language and shall now read as:

**§255-7 DENIAL OF CERTIFICATE OF REGISTRATION**

The Chief of Police may, upon review of the application, refuse to issue a Certificate of Registration to the applicant for any of the following reasons:

- A. The location and time of the activities described in the application would endanger the safety and welfare of the applicant or its customers;
- B. An investigation reveals that the applicant falsified information on the application;
- C. The applicant has been convicted of a felony, misdemeanor or ordinance violation involving a sex offense, trafficking in controlled substances, or any violent acts against persons or property; or
- D. The applicant is a person against whom a judgment based upon, or conviction for, fraud, deceit or misrepresentation has been entered within the five (5) years immediately preceding the date of application.

The Chief of Police's disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his/her application is disapproved and that no Certificate of Registration will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last known address.

**Section 9:** That §255-8 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-8 CONTENTS OF CERTIFICATE OF REGISTRATION**

Certificate of Registration shall contain the following information:

- A. The name and address of the applicant.
- B. The number of the Certificate of Registration and the nature of their activity.
- C. The address at which the activity is conducted, if the activity is carried on in a fixed location.
- D. If the activity is conducted from a vehicle, the make, model and Certificate of Registration number of the vehicle.
- E. The expiration date of the Certificate of Registration.

**Section 10:** That §255-9 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-9 RECORD OF CERTIFICATE OF REGISTRATION.**

The Borough Clerk shall keep a record of all Certificate of Registrations issued under this chapter. The record shall contain the same information as is required by § 255-8 to be contained in the Certificate of Registration. It shall also indicate the amount of the fee paid for the Certificate of Registration, the date upon which payment was received, the date of the issuance of the Certificate of Registration, whether the Certificate of Registration is a new Certificate of Registration or a renewal.

**Section 11:** That §255-10 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-10 DISPLAY OF CERTIFICATE OF REGISTRATION.**

When the Certificate of Registration activity is conducted at a fixed location or from a vehicle, a Certificate of Registration shall be prominently displayed at the location or in the vehicle. In all other cases, the Certificate holder shall have the Certificate of Registration in his/her possession at all times and shall display it upon the request of any police officer or any person with whom he is doing business.

**Section 12:** That §255-11 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-11 TRANSFERABILITY OF CERTIFICATE OF REGISTRATION.**

Every Certificate of Registration shall apply only to the person, location (where the activity is to be conducted at a fixed location) and vehicle (where the activity is to be conducted from a vehicle) to whom or to which it was issued and shall not be transferable.

**Section 13:** That §255-12 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-12 EXPIRATION OF CERTIFICATE OF REGISTRATION; RENEWAL.**

All Certificates of Registration shall expire on December 31 of the year of issue at 12:00 midnight local time. Applications for the renewal of Certificate of Registrations shall be made no later than December 1 of the year of issue.

**Section 14:** That §255-13 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-13 FEES**

The fee for a Certificate of Registration required by this chapter shall be established by Chapter 163, Fees.

**Section 15:** That §255-14 is stricken in its entirety, this chapter subsection is reserved for future use.

**Section 16:** That §255-15 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-15 SALE OF FOOD AND PRODUCE.**

- A. All Certificate of Registration holders selling, delivering or displaying for sale food and produce from vehicles which are wholly or partly open on any side shall, at all times, keep the food and produce completely screened or covered with satisfactory materials in order to prevent flies or other insects from alighting around or upon any merchandise.
- B. All Certificate of Registration holders selling, delivering or displaying for sale seafood, meats, poultry or dairy products shall transport them only in refrigerated vehicles. The products shall remain in the refrigerated portion of the vehicle until the time of sale or delivery. The refrigerated portion of the vehicle, while in use, shall be maintained at a temperature low enough to completely safeguard all of the products from a health and sanitary standpoint.
- C. No Certificate of Registration holders shall, at any time, permit any waste products, materials or parts of produce or other merchandise to remain in or upon any street, roadway, curb or walk, but shall remove any debris that may have fallen from his/her vehicle and place it immediately in a leak proof metal container provided with a tight-fitting cover.
- D. All food or produce sold by any Certificate of Registration holders shall, at the time of delivery, be placed in bags or other suitable containers when it is handed to the customer.

**Section 17:** That §255-16 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-16 CONDUCT OF CERTIFICATE OF REGISTRATION HOLDERS.**

All Certificate of Registrant holders under this chapter shall conduct himself/herself according to the following rules and regulations:

- A. He shall not enter or attempt to enter the house of any resident of the Borough of Woodcliff Lake without an express invitation from the occupant of the house.
- B. He shall not conduct himself/herself in a manner that is objectionable or annoying to the occupant of any house.
- C. No Certificate of Registration holder or any person acting on his/her behalf shall shout, blow a horn, ring a bell or use any other sound-making or sound-amplifying device on any street, park or other public place or on any private premises so that sounds are produced which can be plainly heard on streets, avenues, parks or other public places for the purpose of attracting attention to the Certificate of Registration holder or to the activities carried on by him/her.
- D. All Certificate of Registration holders and any vehicles used by them in the course of the Certificate of Registration activity shall fully comply with all of the provisions of this chapter or other applicable municipal ordinances and all applicable State laws or regulations, particularly those which deal with the protection of the public health, safety and welfare.

**Section 18:** That §255-17 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-17 USE OF VEHICLES.**

- A. No Certificate of Registration holder shall permit any debris, waste material, rotting produce or similar matter to remain in or upon his/her vehicle unless it is contained in a leak proof metal container provided with a tight-fitting metal cover.
- B. No Certificate of Registration holder shall transact business from his/her vehicle unless it is properly parked immediately adjacent to the curb of a public street in a permitted locality. No Certificate of Registration holder shall, at any time, double-park his/her vehicle while transacting business nor transact business other than on the curb side of his/her vehicle.
- C. With the exception of registered food trucks as provided in the Code of the Borough of Woodcliff Lake, Certificate of Registration holders selling food and produce shall prohibit, to the extent reasonably possible, the eating of any merchandise directly from their vehicles.
- D. Before a Certificate of Registration holder selling food and produce uses any vehicle in connection with his/her business, the vehicle shall be submitted to the Borough of Woodcliff Lake Board of Health for inspection and approval relative to compliance with this chapter. Whenever requested during the term of the Certificate of Registration, the Certificate of Registration holder shall submit his/her vehicle for reasonable re-inspection. No vehicle shall be used by the Certificate of Registration holder unless it has been approved for use by the Board of Health. A certificate of written approval shall remain in the vehicle at all times and shall be shown by the operator to any member of the Borough of Woodcliff Lake Police Department or any other official of the Borough who may request to see it.
- E. Any vehicle used in connection with any active Certificate of Registration by this chapter shall have a copy of the Certificate of Registration visibly placed in the front windshield.

**Section 19:** That §255-18 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-18 LOCATION RESTRICTIONS.**

No Certificate of Registration holder shall have an exclusive right to any location in the public streets, nor shall he/she be permitted a stationary location on the streets.

**Section 20:** That §255-20 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-20 REVOCATION OF CERTIFICATE OF REGISTRATION.**

Any Certificate of Registration issued under the provisions of this chapter may be revoked by the Mayor and Council after notice and a hearing for any of the following causes:

- A. Fraud or misrepresentation in any application for a Certificate of Registration.

- B. Fraud, misrepresentation or other dishonesty in the conduct of the Certificate of Registration activity.
- C. A violation of any provision of this chapter or any other provision of this Code or other ordinance of the Borough of Woodcliff Lake applicable to the Certificate of Registration activity.
- D. Conviction of the Certificate of Registration holder for any felony or high misdemeanor or a misdemeanor or disorderly person's offense involving moral turpitude.
- E. Conduct of the Certificate of Registration activity, whether by the Certificate of Registration holder himself/herself or his/her agents or employees, in an unlawful manner or in a manner that constitutes a breach of the peace or a menace to the public health, safety or welfare.

**Section 21:** That §255-21 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-21 NOTICE OF HEARING.**

Notice of a hearing for the revocation of a Certificate of Registration shall be given, in writing, by the Borough Clerk. The notice shall specifically set forth the grounds upon which the proposed revocation is based and the time and place of the hearing. It shall be served by mailing a copy to the Certificate of Registration holder at his/her last known address by certified mail, return receipt requested, at least five days prior to the date set for the hearing.

**Section 22:** That §255-22 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-22 HEARING; DETERMINATION.**

At the hearing, the Certificate of Registration holder shall have the right to appear and be heard, to be represented by an attorney, to present witnesses in his/her own behalf, to cross-examine opposing witnesses and to have a permanent record made of the proceedings at his/her own expense. If such a record is made, two copies shall be furnished to the Borough without charge. The Mayor and Council shall revoke or suspend the Certificate of Registration if they are satisfied by a preponderance of the evidence that the Certificate of Registration holder is guilty of the acts charged.

**Section 23:** That §255-23 is stricken in its entirety and replaced with the following language and shall now read as:

**§ 255-23 REINSTATEMENT OF REVOKED CERTIFICATE OF REGISTRATION.**

The Mayor and Council may issue another Certificate of Registration to a person whose Certificate of Registration has been revoked or denied as provided in this chapter if, after a hearing, they are satisfied by clear and convincing evidence that the acts which led to the revocation or denial will not occur again; otherwise, no person whose Certificate of Registration has been revoked or denied nor any person acting for

him/her, directly or indirectly, shall be issued another Certificate of Registration to carry on the same activity.

**Section 24.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 25.** This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

**Section 26.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.

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

**ORDINANCE NO. 18-15**

**AN ORDINANCE TO ADD CHAPTER 43 ENTITLED "OPEN SPACE TRUST FUND" TO THE  
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

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

**WHEREAS**, by way of referendum and in accordance with the public's sentiment, the Borough of Woodcliff Lake established the "Open Space Trust Fund" to authorize the acquisition of real property for open space purposes or for the use for other purposes ancillary to same.

**WHEREAS**, that Mayor and Council wish to add chapter 43 to the Borough Code to codify pertinent definitions so as to guide the use of said funds.

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

**Section 1.** That Chapter 43 entitled "OPEN SPACE TRUST FUND" shall be added to the Borough of Woodcliff Lake Code and shall be read and numbered as follows:

**CHAPTER 43 – OPEN SPACE TRUST FUND**

**§ 43-1. Preamble.**

The Borough of Woodcliff Lake recognizes its desire to foster a community that incorporates an appreciation of and engaging with the environment. To that end, the Borough of Woodcliff has adopted by referendum The Open Space Trust Fund which is funded through the collection of local property taxes. This Chapter of the Borough Code is adopted to provide guidance for the use of these funds.

**§ 43-2. Use of Fund**

The monies contained in the fund shall be utilized in the manner prescribed in the most recent version of the referendum, this Chapter of the Borough Code and the laws of the State of New Jersey.

**§ 43-3. Passive Recreation**

A. This definition of "passive recreation" is adopted so as to clarify the Borough's interpretation of the concept and to guide the Borough in the use of the Open Space Trust fund for such purposes.

- B. Passive recreation shall mean those pursuits that offer constructive, restorative, and pleasurable human benefits that foster the appreciation and understanding of an open space and its purpose

Examples of open space utilized for passive reaction are, but not limited to: community gardens, great lawns, courtyards, memorial spaces, places for quiet reflection, water features, formal flower/landscape gardens, walking paths, nature preserves, flower/tree beds for the growing of stock for use in the community.

- C. Open space used for passive reaction should be free as possible from permanent building structures. However, ancillary building structures are permitted so long as their design and scale do not limit or diminish the use of the open space. Such structures shall include but not be limited to: restrooms, drinking fountains, waste receptacles, sitting benches, pavilions that compliment the passive use, small scale sheds necessary for utility mechanisms or storage of equipment for use in community gardens/flower-tree beds, complementary parking areas

#### **§ 43-4. Active Recreation**

- A. This definition of “active recreation” is adopted so as to clarify the Borough’s interpretation of the concept and to guide the Borough in the use of its Open Space Trust fund for such purposes.
- B. Active recreation shall mean those pursuits engaged in for the purpose of relaxation, health and wellbeing or enjoyment with the primary activity requiring physical exertion, and the primary focus on human activity.
- C. Examples of open space utilized for active reaction are, but not limited to: sports fields, golf courses, swim pools, playgrounds
- D. Open space used for active reaction is permitted to contain permanent building structures necessary for their dedicated use. Such structures shall include but not be limited to: restrooms, locker rooms, snack bars, viewing stands, storage areas needed for equipment, field equipment, permanent field surfacing, necessary fencing, drinking fountains, waste receptacles, utility sheds, complementary parking areas

**Section 2.** All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

**Section 3.** This ordinance shall be construed consistent with the purpose stated in section 1 hereof. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the full extent possible. This ordinance repeals provisions of the Woodcliff Lake Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Woodcliff Lake Code.

**Section 4.** This ordinance shall take effect immediately upon approval and publication of notice of adoption as provided by law.



# 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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

## RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

### RESOLUTION NO. 18-236 NOVEMBER 20, 2018

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

Payroll Released 10/31/2018	\$172,785.16
Payroll Released 11/15/2018	\$343,723.99

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

Current Fund:	\$ 464,889.33
Capital:	\$160,312.36
Animal Control:	\$ 1.54
Trust/Other:	\$ 4.10
Police/Private:	\$ 27.65
Public Assistance:	\$ 2.12
Escrow:	\$ 22,530.00

**CERTIFICATION OF FUNDS**

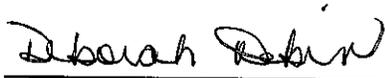
I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

---

Harold Laufeld  
Chief Financial Officer

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2018.



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**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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

**RESOLUTION SUSPENDING ANY PROVISIONS OF CHAPTER 255 ENTITLED "PEDDLING AND SOLICITING" IN FAVOR OF THOSE AMENDMENTS CONTAINED WITHIN PROPOSED ORDINANCE NO. 18-14**

**RESOLUTION NO. 18-237  
NOVEMBER 20, 2018**

**WHEREAS**, the Borough of Woodcliff Lake has entered into a settlement agreement with Aptive Environmental which, among other conditions, requires the Borough to amend Chapter 255 of the Borough Code which governs Peddling and Soliciting within the Borough; and

**WHEREAS**, in compliance with this agreement the Borough has prepared proposed Ordinance No. 18-14 to make the necessary amendments to Chapter 255 so as to make same compliant with the settlement agreement and to make the Borough's Canvassing/Soliciting rules compliant with current Federal and State Law; and

**WHEREAS**, to avoid any legal issues during the adoption period of Ordinance No. 18-14, the Mayor and Council of the Borough of Woodcliff Lake wish to suspend any provisions of Borough Code Chapter 255 in favor of those amendments contained within proposed Ordinance No. 18-14.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey, that any portion(s) of Chapter 255 of the Borough Code that are amended by Borough Ordinance No. 18-14 are hereby suspended and that the Borough Police and Borough Clerk shall enforce the Borough's Canvassing/Soliciting rules pursuant to the terms of the amendments contained within Borough Ordinance No. 18-14.

**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 November 20, 2018.



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**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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

## RESOLUTION AUTHORIZING CONTRACT TO INSTALL NEW CABLING AND CONDUITS IN A SAFE MANNER AND PURSUANT TO CURRENT BUILDING CODE FOR LIGHTS AT BAGLEY FIELD IN THE BOROUGH OF WOODCLIFF LAKE

### RESOLUTION NO. 18-238 NOVEMBER 20, 2018

**WHEREAS**, during the installation of the field lights at Bagley Field the Borough's contractor GWE Contractor, LLC discovered that the power cables for same were buried too shallow in the field ground and did not satisfy current code requirements and created an immediate dangerous condition; and

**WHEREAS**, the Borough, recognizes that this danger to the public health, safety or welfare requires the immediate install of new cabling and conduits in a safe manner and pursuant to current code; and

**WHEREAS**, GWE Contractor, LLC is on site and has the experience necessary to provide such install services and did provide a quote of \$7,900.00 for such service; and

**WHEREAS**, the Borough of Woodcliff Lake recognizes that it is most advantageous to permit GWE Contractor, LLC is to perform such service; and

**WHEREAS**, the Borough of Woodcliff Lake recognizes that in doing so GWE Contractor, LLC will exceed the yearly threshold cap and that Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits same when the public health, safety or welfare requires the immediate delivery of goods or the performance of services.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake recognizes that an immediate danger to the public health, safety or welfare at

Bagley Field that requires the immediate install of new cabling and conduits in a safe manner and pursuant to current code; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the Mayor or Business Administrator to execute and the Clerk to attest to any documentation to contract with GWE Contractor, LLC to install new cabling and conduits in a safe manner and pursuant to current code for the field lights at Bagley Field for \$7,900.00 to address the immediate dangerous condition and pursuant to the clauses for such emergent projects contained in the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

#### **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 November 20, 2018.



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

#### **CERTIFICATION OF FUNDS**

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

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**Harold Laufeld  
Chief Financial Officer**



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor

Tomas J. Pappalardo, Borough Administrator

201-391-4977  
Fax 201-391-8830

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

## 2018 Budget Transfers

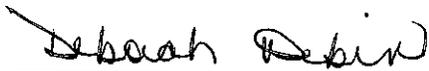
**RESOLUTION NO. 18-239**  
**NOVEMBER 20, 2018**

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Construction Code - Salaries and Wages	8-01-22-195-010	2,500.00	
Planning Board – Salaries and Wages	8-01-21-180-010		2,500.00
Construction Code-Salaries and Wages	8-01-22-195-010	2,500.00	
Zoning Board – Salaries and Wages	8-01-21-185-010		2,500.00
Legal	8-01-20-155-020	40,000.00	
Planning Board - Other Expenses	8-01-21-180-020		40,000.00
Legal	8-01-20-155-020	25,000.00	
Zoning Board – Other Expenses	8-01-21-185-020		25,000.00
Construction Code – Salaries and Wages	8-01-22-195-010	3,000.00	
Construction Code – Other Expenses	8-01-22-195-020		3,000.00
Building and Grounds – Other Expenses	8-01-26-310-020	4,000.00	
Shade Tree – Other Expenses	8-01-26-300-020		4,000.00
Municipal Clerk – Other Expenses	8-01-20-120-020	500.00	
Board of Health – Other Expenses	8-01-27-330-020		500.00
Engineering – Other Expenses	8-01-20-165-020	3,100.00	
Public Employees Retirement System	8-01-36-471-000		3,100.00

Financial Administration – Other Expenses	8-01-20-130-020	2,000.00	
Defined Contribution Retirement Program	8-01-36-476-000		2,000.00
TOTAL		82,600.00	82,600.00

**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 November 20, 2018.



---

**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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

**RESOLUTION AUTHORIZING A REFUND OF OVERPAYMENT OF TAXES  
RESOLUTION NO. 18-240  
NOVEMBER 20, 2018**

**WHEREAS**, the property tax on the following parcel were paid by property owners and mortgage company; and

**WHEREAS**, this has resulted in the overpayment of property tax on this parcel by \$10,122.08; and

**WHEREAS**, the owners of the property listed have requested a refund of overpayment.

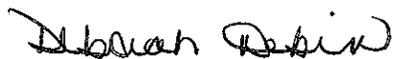
**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of **\$10,122.08** to the owner listed below.

Block/Lot	Owner	Amount	Reason
303.02/1/C0301	Esposito	10,122.08	Duplicate Payment

**MAIL CHECK TO:**  
Esposito, Anthony  
7 Winfield Drive  
Woodcliff Lake, NJ 07677

**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 November 20, 2018.



**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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

## RESOLUTION OPPOSING CONSTRUCTION OF THE NORTH BERGEN LIBERTY GENERATING GAS-FIRED POWER PLANT

### RESOLUTION NO. 18-241 NOVEMBER 20, 2018

**WHEREAS**, Los Angeles-based Diamond Generating Corporation, a subsidiary of Mitsubishi, has proposed and has requested permits to build a \$1.5B, 1,200-MW natural gas-fired power plant in North Bergen, NJ on a 15-acre parcel near Railroad Avenue on the banks of Bellman's Creek. The electric energy produced by this plant would be transmitted by a 6.5 mile, 345-kV underground and submarine cable under the Hudson River via the Susquehanna Tunnel to connect with ConED's substation on West 49<sup>th</sup> Street in Manhattan. All of this electricity would be used by ConED in New York. The project is anticipating permit approvals by the Environmental Protection Agency and the New Jersey Department of Environmental Protection by the end of 2019, and to be operational by 2022;<sup>1</sup> and

**WHEREAS**, this natural gas plant would be one of the largest sources of air pollution and greenhouse gas emissions in New Jersey;<sup>2</sup> and

**WHEREAS**, the municipality and Borough Council of Woodcliff Lake has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

**WHEREAS**, the people and environment of New Jersey have been increasingly subjected to a build-out of natural gas infrastructure, including but not limited to pipelines and distribution

networks, compressor stations, power plants, combustion heating systems, metering and regulation stations, and pigging stations; and

**WHEREAS**, peer-reviewed scientific studies<sup>3</sup> link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

**WHEREAS**, the American Medical Association acknowledges the hazards of natural gas infrastructure and associated adverse health impacts; and

**WHEREAS**, the National Ambient Air Quality Standards (NAAQS) are based on average population risks across a large area over a long period of time but do not adequately address human toxicity for residents living in close proximity to natural gas infrastructure or where they are subject to episodic high exposures during events such as blowdowns; and

**WHEREAS**, on February 7, 2010 a gas blow operation was being performed at the Kleen Energy Systems LLC power plant construction site in Middletown, Conn. in which flammable natural gas was pumped under high pressure through new fuel gas lines to remove debris. During this operation, an extremely large amount of natural gas was vented into areas where it could not easily disperse. Welding and other work was being performed nearby, creating an extremely dangerous situation. An explosion occurred when the gas contacted an ignition source taking the lives of six workers and injuring 50 others<sup>4</sup>; and

**WHEREAS**, the top 11 electric plant operators in the U.S. have been fined over \$13.3B since 2000 for 161 environmental violations, and<sup>5</sup>

**WHEREAS**, current protocols used for assessing compliance with ambient air quality standards do not adequately determine intensity, frequency or durations of actual human exposures to pollutants and mixtures of pollutants emitted from natural gas infrastructure, noting that periodic 24-hour average measures can underestimate actual exposures by an order of magnitude; and

**WHEREAS**, gas infrastructure facilities can annually emit into the air hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and criteria pollutants (such as nitrogen oxides which cause smog, acid rain and contribute to ozone production),<sup>6</sup> some of which are known carcinogens such as benzene and formaldehyde, and can also be sources of radioactive contamination<sup>7</sup> and are known to increase the severity of asthma and other respiratory diseases. Particulate matter, once inhaled, can affect the heart and lungs

and cause serious health effects including lung cancer. Long-term exposure to ozone is linked to aggravation of asthma, emphysema, and chronic bronchitis, and it is likely to be one of many causes of asthma development. Long-term exposures to ozone may also be linked to permanent lung damage, such as abnormal lung development in children. Both ozone and particulate pollution have been linked to premature death, cardiovascular harm and increased susceptibility to infections. Recent studies have also linked air pollution to increases in obesity, diabetes, Parkinson's disease, Alzheimer's and other forms of dementia and stroke.<sup>8</sup> People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers; and

**WHEREAS**, people who live or work in close proximity to natural gas infrastructure facilities such as power plants and compressors are most at risk—particularly developing fetuses, children, the elderly, and those with cardiovascular, lung or respiratory problems and other vulnerable subpopulations, although under certain weather and terrain conditions, these pollutants can have a wider impact. Some homes in New Jersey are within 3,000 feet of the proposed plant and Harlem/Upper Manhattan (where one in four children suffers from asthma), which is downwind of the prevailing winds, is within 3.6 miles; and

**WHEREAS**, based on the American Lung Association "State of the Air 2018" report, the counties of Bergen and Hudson, which will be most impacted by emissions from this power plant already have significant populations (in some cases the largest in New Jersey), with pediatric and adult asthma, COPD, lung cancer, cardiovascular disease and diabetes,<sup>9</sup> whose conditions will only be exacerbated by additional volumes of air pollution; and

**WHEREAS**, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems<sup>10</sup>; and

**WHEREAS**, methane is the primary ingredient of natural gas and leaks at every system stage, including extraction, processing, transmission, distribution, and end-use consumption; and

**WHEREAS**, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

**WHEREAS**, methane emissions from gas power plants may be considerably higher than previously thought. A 2017 study<sup>11 12</sup> found that gas-fired power plants released more than 20 times more methane than the facilities had estimated; and

**WHEREAS**, Bergen County and Hudson County (proposed site of the North Bergen plant) already receive grades of 'F' from the American Lung Association for ozone air pollution,<sup>13</sup> the

new plant will increase the concentration of ground ozone, increase the health hazards and risks from this pollutant and make it even more difficult to reduce the level of this pollutant. Conditions such as chronic obstructive pulmonary disease (COPD)—a long-lasting obstruction of the airways—can be exacerbated by even small increases in elevated ozone levels (e.g., an increment of 10 ppb), with a corresponding effect on public health and health care costs. As with chronic lung disease, even a small increase in the previous week's average ozone level has substantial effects on death rates. One study showed that a small (10 ppb) increase in ozone pollution was associated with a 0.52 percent increase in deaths per day. This study found that an estimated 3,700 deaths annually in the U.S. could be attributed to this small increase in daily ozone levels;<sup>14</sup> and

**WHEREAS**, New Jersey's environmental justice communities already have some of the worst air quality in the nation, building another massive gas power plant will only exacerbate their plight; and

**WHEREAS**, municipalities to the North and Northeast of the proposed gas-fired plants will be particularly impacted by the Palisades ridge to the East that will prevent pollution from being easily dispersed to the East on prevailing westerly winds; and

**WHEREAS**, the proposed gas-fired electric plant will be approximately one mile from an existing gas-fired electric plant operated by PSE&G that is already one of the largest sources of air pollution in New Jersey and which already produces over 2 million metric tons of CO<sub>2</sub> annually; and

**WHEREAS**, of the top 10 companies (parent corporations) most penalized for environmental violations in the US, nine are in the petroleum and energy industry and five are in the electric energy production industry (American Electric Power, Duke Energy, Dominion Energy, FirstEnergy and Alliant Energy);<sup>15</sup> and

**WHEREAS**, the proposed gas-fired plant will produce limited economic benefits to the town of North Bergen and, to a lesser degree, surrounding towns, this will primarily occur during the construction phase<sup>16</sup> (due, in part, to the fact that NJ electrical generating equipment is exempt from property tax) and after that the residents of these towns will continue to incur the health care costs associated with increased pollution for another 30 to 40 years; and

**WHEREAS**, the annual health impacts of burning 1 (one) Bcf/day in the NY/NJ metropolitan area are estimated to be;<sup>17</sup>

Impact	Incidents per year	Societal Value*	Direct Medical and Other Costs
Premature Mortality	35.3	\$238,712,000	\$10,585,000
Chronic Bronchitis	22.3	\$10,554,000	\$2,700,000
Hospital+ER visits	32.8	\$432,000	\$345,000
Asthma Attacks	724.5	\$43,000	\$42,000
Respiratory Symptoms	32,720	\$1,190,000	\$1,190,000
Work Loss Days	6,374	\$1,160,000	\$1,079,000
Mercury Related	NA	\$12,277,000	\$13,277,000
Total		\$265,369,000	\$29,217,000

\*Costs to consumers for which they are not reimbursed.

**WHEREAS**, an alternative approach to producing electricity from solar panels would avoid all of the environmental and health issues noted in this resolution while still providing new jobs and other financial benefits to local towns and would be in conformance with Governor Murphy's goal to increase the use of renewable energy even if all of the electricity was sold to New York City, could potentially gain local support and should be considered; and

**WHEREAS**, the NJ Work Environmental Council has stated, "Climate justice is worker justice. We stand together for both worker protections and strong climate policies because we can't have one without the other. An injury to the planet is an injury to us all;"<sup>18</sup> and

**WHEREAS**, the proposed gas-fired plant will provide electric energy to New York only, residents of Hudson and Bergen Counties and the rest of New Jersey will only incur the health care costs and environmental degradation caused by the plant during construction and operation; and

**WHEREAS**, the gas-fired power plant represents a direct threat to one of the state's most crucial ecological resources. Wetlands such as the Meadowlands serve many beneficial functions. They are a natural filtration system, purifying our water. They preserve biodiversity by hosting a number of plant and animal species. They play a crucial role in flood mitigation by absorbing storm waters, protecting urban or residential communities in nearby flood zones. The construction of and pollution from the proposed plant could affect quantity and quality of water flows, thereby harming the delicate animal and plant habitats in the wetlands and undermining their critical hydrological functions. The rehabilitation of the Meadowlands, which has been a

triumph for the local groups that have worked hard to recover this area, would be squandered in order to provide power to New York City residents; and

**WHEREAS**, the plant will be within the half mile US DOT Evacuation Zone for oil train derailments which have been known to explode and can only be handled by letting them burn out; and

**WHEREAS**, location of the plant conflicts with the Regional Plan Association's 2017 finding of the Meadowlands being at risk from sea level rise. The RPA's Fourth Regional Plan<sup>19</sup> found that "of all the places in the tri-state region challenged by increased flooding from climate change, the New Jersey Meadowlands is at greatest risk." It also concluded that "The Meadowlands are also likely to be one of the first places to be permanently inundated from sea-level rise."; and

**WHEREAS**, construction would require digging a 40 foot trench through the Meadowlands to connect to Williams' Transco Pipeline, thus risking damage to sensitive wetlands. The connection to the Williams pipeline may require upgrades to the line and expansion of its compressor station at Riverdale risking increases in dangerous emissions from the compressor station; and

**WHEREAS**, the owners of the proposed gas-fired plant have stated this is being built to replace the energy that will be lost when the Indian Point Nuclear Plant is closed,<sup>20</sup> a 2017 study by Hudson Riverkeeper and the Natural Resources Defense Counsel states, "By 2023, assumed new energy efficiency and required new renewable energy [will] provide as much output as IPEC would have produced."<sup>21</sup>; and

**WHEREAS**, the proposed gas-fired plant will require 8.6M gallons of sewage discharge wastewater per day which will allow evaporation of chemicals in the water to contribute to the existing levels of air pollution; and

**WHEREAS**, the proposed plant will require diesel generator backups for winter gas shortage situations which in turn will require storage of 1M gallons of diesel fuel onsite which has inherent risks of spills and leakage which would produce additional air pollution as well as ground pollution to sensitive wetlands and nearby water bodies; and

**WHEREAS**, the gas-fired plant will require on site storage of chemicals such as ammonia, bleach and acids as well as trucks to supply these products this increases the potential for spills into nearby wetlands and streams; and

**WHEREAS**, the proposed gas-fired plant will increase the volume of fracked-gas used in New Jersey which will also increase the drilling and associated environmentally destructive activities associated with its production and transport<sup>22</sup> as well as increased pressure on New Jersey and the Delaware River Basin Commission to accept fracked waste water for disposal; and

**WHEREAS**, the proposed gas-fired plant will utilize fracked natural gas thus increasing the amount of energy produced by fossil fuels in direct opposition to Governor Murphy's commitment to moving New Jersey to 100% clean renewable energy usage. This type of massive fossil fuel infrastructure will last for several decades due to its large sunk costs (\$1.5B). This will increase long-term dependence on dirty fossil fuels and their associated environmental damage and health risks and is incompatible with the administration's energy goals. The average New Jersey gas-fired power plants went online 23 years ago and 13 percent of the state's gas plants went online more than 40 years ago.

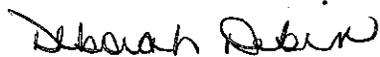
**THEREFORE, BE IT RESOLVED** that the Municipality and Borough Council of Woodcliff Lake, in the interest of protecting its residents, businesses and institutions, as of November 20, 2018, strongly opposes construction of the North Bergen Liberty Generating power plant.

Be it further resolved, that the Borough Clerk shall forward this Resolution to

- New Jersey Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- State Senator
- State Assemblypersons
- Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
- The Sierra Club – New Jersey Chapter, 145 W. Hanover Street, Trenton NJ 08618
- Hackensack Riverkeeper
- Hudson County Freeholders and Administration and all Hudson County Municipal Councils, Boards of Health and Environmental Commissions
- Bergen County Freeholders and Administration and all Bergen County Municipal Councils, Boards of Health and Environmental Commissions
- League of New Jersey Municipalities
- NJ Advance Media

#### **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 November 20, 2018.



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

<sup>1</sup> <https://www.northjersey.com/story/news/environment/2018/04/10/new-power-plant-meadowlands-electricity-nyc/503255002/>  
<http://newyork.cbslocal.com/2018/04/25/meadowlands-natural-gas-plant-proposal/>

<sup>2</sup> New Jersey Sierra Club May 2018 E-newsletter,  
<https://spark.adobe.com/page/1cwq37BdNLoxg/>

<sup>3</sup> PSE for Healthy Energy Repository for Oil and Gas Energy  
Research: <https://www.psehealthyenergy.org/our-work/shale-gas-research-library/>

<sup>4</sup> <https://www.osha.gov/news/newsreleases/national/08052010>

<sup>5</sup>

[https://violationtracker.goodjobsfirst.org/prog.php?major\\_industry\\_sum=utilities+and+power+generation](https://violationtracker.goodjobsfirst.org/prog.php?major_industry_sum=utilities+and+power+generation)

<sup>6</sup> Criteria air Pollutants (CAP), or criteria pollutants, are a set of air pollutants that cause smog, acid rain, and other health hazards. CAPs are typically emitted from many sources in industry, mining, transportation, electricity generation and agriculture. In many cases they are the products of the combustion of fossil fuels or industrial processes.

<sup>7</sup> Environmental Health Project Report, October 2017: Health Effects Associated with Stack Chemical Emissions from NYS Compressor Stations: 2008-2014: <http://www.environmentalhealthproject-ny.org/>

<sup>8</sup> <https://www.sciencenews.org/article/list-diseases-linked-air-pollution-growing>

<sup>9</sup> Numbers of residents in 2017 in each county with the diseases shown:

County	Pediatric Asthma	Adult Asthma	COPD	Lung Cancer	Cardiovascular Disease	Diabetes	Poverty Estimate
Bergen	16,376*	61,021*	47,586*	525*	62,375*	70,715*	63,789
Hudson	11,286	44,533	29,582	379	36,091	40,122	104,660

\*Highest volume in New Jersey

<sup>10</sup> Reducing the staggering costs of environmental disease in children, estimated at \$76.6 billion in 2008, Trasande, L, et al, Health Affairs, May 2011: <https://www.ncbi.nlm.nih.gov/pubmed/21543421>

<sup>11</sup> Food & Water Watch

<sup>12</sup> <https://www.desmogblog.com/2017/03/20/natural-gas-power-plants-fracking-methane>

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<sup>13</sup> American Lung Association 2018 State of the Air report

<http://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/new-jersey/>  
Shows Hudson and Bergen Counties with grade of F for high ozone days and 22 orange days each

<sup>14</sup>[https://www.ucsusa.org/sites/default/files/legacy/assets/documents/global\\_warming/climate-change-and-ozone-pollution.pdf](https://www.ucsusa.org/sites/default/files/legacy/assets/documents/global_warming/climate-change-and-ozone-pollution.pdf)

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[https://violationtracker.goodjobsfirst.org/prog.php?parent=&major\\_industry\\_sum=utilities+and+power+generation&primary\\_offense\\_sum=environmental+violation&agency\\_sum=&hq\\_id\\_sum=&company\\_op=starts&company=&major\\_industry%5B%5D=&all\\_offense%5B%5D=&penalty\\_op=%3E&penalty=&agency\\_code%5B%5D=&pen\\_year%5B%5D=&pres\\_term=&free\\_text=&case\\_type=&ownership%5B%5D=&hq\\_id=&naics%5B%5D=&state=&city=](https://violationtracker.goodjobsfirst.org/prog.php?parent=&major_industry_sum=utilities+and+power+generation&primary_offense_sum=environmental+violation&agency_sum=&hq_id_sum=&company_op=starts&company=&major_industry%5B%5D=&all_offense%5B%5D=&penalty_op=%3E&penalty=&agency_code%5B%5D=&pen_year%5B%5D=&pres_term=&free_text=&case_type=&ownership%5B%5D=&hq_id=&naics%5B%5D=&state=&city=)

<sup>16</sup> North Bergen Liberty Generating, LLC, Economic and Fiscal Analysis

[https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjQ7o2U8ezaAhXPwVkkHbRSAJAQFjAAegQIABAQ&url=http%3A%2F%2Fdocuments.dps.ny.gov%2Fpublic%2FCommon%2FViewDoc.aspx%3FDocRefId%3D%257BCF578449-B169-4EAF-9661-BE1A91A35A3B%257D&usq=AOvVaw2pa9fo0UCw9omDPB\\_Zv620](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=2ahUKEwjQ7o2U8ezaAhXPwVkkHbRSAJAQFjAAegQIABAQ&url=http%3A%2F%2Fdocuments.dps.ny.gov%2Fpublic%2FCommon%2FViewDoc.aspx%3FDocRefId%3D%257BCF578449-B169-4EAF-9661-BE1A91A35A3B%257D&usq=AOvVaw2pa9fo0UCw9omDPB_Zv620)  
Shows assumptions and model for financial benefits from the plant.

<sup>17</sup> <https://www.sierraclub.org/sites/www.sierraclub.org/files/sce-authors/u1997/HCWH%20pipeline%20health%20impacts.pdf>

<sup>18</sup> <http://www.njspotlight.com/stories/18/04/30/op-ed-workers-and-environmentalists-stand-in-solidarity-on-climate/>

<sup>19</sup> <http://library.rpa.org/pdf/RPA-4RP-Places.pdf>

<sup>20</sup> <https://www.utilitydive.com/news/mitsubishi-subsiary-seeks-permits-for-15b-gas-plant-to-send-power-to-ny/521146/>

<sup>21</sup> <https://www.riverkeeper.org/wp-content/uploads/2017/03/Clean-Energy-for-New-York-16-121-02-23-2017.pdf>

Important caveat: New York will require an aggressive energy efficiency policy framework in order to secure the improvements needed to obtain the energy efficiency levels modeled in this analysis. Critically, such a policy framework is not currently in place in New York for attaining the levels of energy efficiency contemplated.

<sup>22</sup> PSR/CHPNY Compendium 5th Edition (March 2018): [http://concernedhealthny.org/wp-content/uploads/2018/03/Fracking\\_Science\\_Compendium\\_5FINAL.pdf](http://concernedhealthny.org/wp-content/uploads/2018/03/Fracking_Science_Compendium_5FINAL.pdf)



# 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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

## RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE BOROUGH OF WOODCLIFF LAKE AND THE COUNTY OF BERGEN FOR SNOW REMOVAL ON COUNTY ROADS

### RESOLUTION NO. 18-242 NOVEMBER 20, 2018

**WHEREAS**, the Board of Chosen Freeholders of the County of Bergen is authorized by N.J.S.A. 27:16-33 to cause snow to be plowed from the County or County controlled roads; and

**WHEREAS**, it is the desired plan of the County to employ the services of the Municipality for snow plow operations on county roads located from the County owned or County controlled roads; and

**WHEREAS**, it is the desired plan of the County to employ the services of the Municipality for snow plow operations on county roads located within the Municipality for a period of two snow seasons.

**NOW THEREFORE BE IT RESOLVED** for the consideration hereinafter stated, the parties hereto agree as follows:

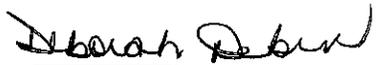
- (1) The Municipality agrees that it will furnish the necessary equipment and personnel required to perform snow plowing operations on County roads located within the Municipality.
- (2) The Municipality, through the Superintendent of Public Works or other designated

official, shall have the complete supervision of the snow plow operations. The Municipal Officer shall keep the County Snow Control informed of the progress of the snow plowing operations.

- (3) The Municipality agrees that it shall defend and save the County of Bergen harmless from any and all claims that may be filed either in equity or law, arising from the performance of this Agreement, and that it shall secure and maintain throughout the duration of this Contract, (combined single limit) and general liability insurance in an amount not less than \$4,000,000 per occurrence. The Municipality further agrees that the County of Bergen shall be provided a Certificate of Insurance naming the County of Bergen, as an additional insured with respect to services performed under this Contract, and evidencing the minimum limits of insurance coverage set forth in the Agreement.
- (4) The County shall compensate the Municipality for conducting said snow plow operations on County roads located within Woodcliff Lake.

#### **CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2018.



**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
Gadaleta						X
Gross		X	X			
Hayes	X		X			
Herrington						X
Singleton			X			
Belgiovine						
Mayor Rendo			X			X

## RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**RESOLUTION NO. 18-243  
NOVEMBER 20, 2018**

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

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

1. Personnel Matters/Contracts
2. Potential Litigation

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

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

### CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2018.

**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
Gadaleta			X			
Gross		X	X			
Hayes			X			
Herrington			X			
Singleton			X			
Belgiovine	X		X			
Mayor Rendo						

## RESOLUTION APPROVING RETIREMENT AND CORRESPONDING BENEFITS OF POLICE CHIEF ANTHONY JANNICELLI IN THE BOROUGH OF WOODCLIFF LAKE, BERGEN COUNTY, NEW JERSEY

### RESOLUTION NO. 18-244 NOVEMBER 20, 2018

**WHEREAS**, Chief of Police Anthony Jannicelli has honorably and faithfully served the Borough of Woodcliff Lake as a police officer and as Chief of Police of the Borough of Woodcliff Lake Police Department; and

**WHEREAS**, Chief Jannicelli has expressed his desire to retire effective December 31, 2018; and

**WHEREAS**, an Agreement between the Borough of Woodcliff Lake and the Chief Jannicelli has been reached to address his compensation and retirement benefits; and

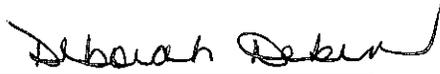
**WHEREAS**, Chief Jannicelli has requested that his service weapon be transferred to him to keep as his personal property upon his retirement.

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

1. That the Mayor and Council accepts the retirement Chief Anthony Jannicelli effective December 31, 2018 and expresses their warmest appreciation for his years of loyal and honorable service to the Borough of Woodcliff Lake and its residents.
2. That the Mayor and Council approve of the agreement with Chief Anthony Jannicelli and consent to the terms therein.
3. That for his years of faithful service Chief Anthony Jannicelli is made the gift of his service weapon by the Borough of Woodcliff Lake.

### **CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of November 20, 2018.



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