



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES  
MAY 15, 2017  
6:30 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Council President Thomas Panso asked for a roll call. Council members Gadaleta, Hayes, Herrington and Panso were present. Councilman Belgiovine arrived at 7:45 PM and Councilman Piantino arrived at 7:50 PM. Borough Attorney Ron Dario was present, as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Mayor Rendo was absent.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

**CLOSED SESSION**

Resolution No. 17-111

Resolution Authorizing the Holding of Closed Session

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						X
Gadaleta	X		X			
Hayes			X			
Herrington		X	X			
Piantino						X
Panso			X			
Mayor Rendo						

**RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION**

**RESOLUTION NO. 17-111**

**MAY 15, 2017**

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

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

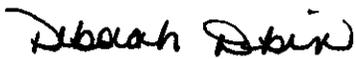
1. BMW Litigation

**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 May 15, 2017.



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

**APPROVAL OF MINUTES**

Motion to approve the Minutes of May 1, 2017 (Open Session) was made by Councilman Belgiovine, seconded by Councilwoman Gadaleta and approved by Councilman Belgiovine, Councilwoman Gadaleta, Councilwoman Hayes, Councilwoman Herrington and Council President Panso. Councilman Piantino abstained.

Motion to approve the Minutes of May 1, 2017 (Closed Session) was made by Councilman Belgiovine, seconded by Councilwoman Gadaleta and approved by Councilman Belgiovine, Councilwoman Gadaleta, Councilwoman Hayes, Councilwoman Herrington, and Council President Panso. Councilman Piantino abstained.

**ORDINANCES**

Introduction      Ordinance 17-05  
                            2017 Salary Ordinance

MOTION to introduce Ordinance 17-05 was made by Councilman Belgiovine, seconded by Councilwoman Gadaleta and unanimously approved.

Public Hearing      Ordinance 17-02  
                            Calendar Year 2017  
                            Ordinance to Exceed the Municipal Budget Appropriation Limits and to  
                            Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

MOTION to introduce Ordinance 17-02 was made by Councilman Belgiovine and seconded by Councilwoman Gadaleta.

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

No Comments.

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

**ROLL CALL:**

Introduction: Mr. Belgiovine  
Second:        Mrs. Gadaleta  
Ayes:          Mr. Belgiovine, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington, Mr. Piantino,  
                            Mr. Panso  
Nays:          None  
Abstain:       None  
Absent:        None

Public Hearing 17-03

An Ordinance to Strike Article II of Chapter 326 in Favor of Creating Chapter 327 of the Borough to Govern the Excavation and Construction in Public Streets in the Borough of Woodcliff Lake, State of New Jersey

MOTION to Introduce Ordinance 17-03 was made by Councilman Belgiovine and seconded by Councilman Piantino.

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

No Comments.

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

**ROLL CALL:**

Introduction: Mr. Belgiovine  
Second: Mr. Piantino  
Ayes: Mr. Belgiovine, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington, Mr. Piantino,  
Mr. Panso  
Nays: None  
Abstain: None  
Absent: None

Public Hearing 17-04

An Ordinance to Amend Chapter 5-39 Entitled "Mayor and Council as Appropriate Authority" of the Borough of Woodcliff Lake Code in the Borough of Woodcliff Lake, State of New Jersey

MOTION to Introduce Ordinance 17-04 was made by Councilwoman Herrington and seconded by Councilman Belgiovine.

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

Joseph LaPaglia, Woodcliff Lake, asked what the difference is between the old Ordinance and the proposed Ordinance. Councilwoman Herrington stated that historically the appropriate authority has been the entire Mayor and Council. In order for a decision to be made with the police department it would take the entire Mayor and Council to make a decision. It did not include the Borough Administrator in the process and having to have the entire Mayor and Council present could slow down the process.

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

**ROLL CALL:**

Introduction: Mrs. Herrington  
Second: Mr. Belgiovine  
Ayes: Mr. Belgiovine, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington, Mr. Piantino,  
Mr. Panso  
Nays: None  
Abstain: None  
Absent: None

## **PUBLIC HEARINGS**

### **2017 Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund**

Council President Panso read the following Notice:

The Mayor and Council of the Borough of Woodcliff Lake will hold a public hearing on Monday, May 15, 2017, at 8:00 PM during the regularly scheduled Mayor and Council meeting. The purpose of the hearing is to obtain public comment on a grant application to be submitted to the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund – Municipal Park Improvement Program for capital improvements to the Woodcliff Lake Tennis Courts, by the Borough of Woodcliff Lake. The meeting will take place in the Council Chambers of the Woodcliff Lake Municipal Complex located at 188 Pascack Road, Woodcliff Lake, NJ 07677. The Borough Administrator will make a brief presentation followed by a question and answer period. All residents are encouraged to attend and participate.

Administrator Padilla stated that Bergen County Open Space Trust Fund has grants available. One of the grant they have available is for municipal park improvements. What we are doing through our Grant Writer, Millennium Strategies, is applying for a grant to resurface some of our tennis courts. Mr. Padilla showed a sample of a similar material (interlocking tiles) and can be designed for multi-purpose uses such as basketball, soccer, etc. We have received some estimates to do approximately 3 of our courts. We have 6 courts and we noticed that at times they are underutilized and residents are looking for additional recreational activities. We could do three of them for about \$67,500. We would be requesting funding for half of it. Last year we had approved a similar project, but the amount available had diminished because of the open space tax so we withdrew our grant last year and we are applying this year for that grant.

We are part of the Pascack Valley Region with about 10 other municipalities and there is a pool of money available for those 10 towns to apply for different park improvements such as this. One of the requirements is that we have to open the floor to the public to see if they have any input or questions.

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

No Comments.

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

Administrator Padilla stated that there is a Resolution on the Consent Agenda for this.

Borough Attorney Dario read the following Notice:

**PUBLIC HEARING NOTICE OF THE BOROUGH OF WOODCLIFF LAKE'S REQUEST TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM TO AMEND THE BOROUGH'S RECREATION AND OPEN SPACE INVENTOR (ROSI)**

**PLEASE TAKE NOTICE** that the Borough of Woodcliff Lake filed a request with the New Jersey Department of Environmental Protection, Green Acres Program, proposing to amend the Borough of Woodcliff Lake's Recreation and Open Space Inventory ("ROSI") by removing Block 2801, Lot 2 as shown on the Borough of Woodcliff Lake Tax Maps, commonly referred to as the "Lincoln Avenue Property" located on Lincoln Avenue in the Borough of Woodcliff Lake, Bergen County, New Jersey 07677. The property is a .3449 acre vacant lot measuring roughly 150 feet by 100 feet.

The request to remove this property is being made to correct an administrative error which erroneously placed this property on a previous ROSI submitted to Green Acres.

**PLEASE TAKE NOTICE** that pursuant to N.J.A.C. 7:36-25.3(h)2v, a hearing to obtain public comment on this request will be held at the regularly scheduled meeting of the Mayor and Council of Monday, **May 15, 2017** in Borough Hall located at 188 Pascack Road, Woodcliff Lake, New Jersey 07677 at 7:00 PM or as soon as practical thereafter, at which time and place all interested parties will have an opportunity to be heard concerning the Borough's request to the Green Acres Program for this ROSI amendment.

All information submitted by the Borough to the Green Acres Program in support of this requested ROSI amendment is available for public inspection at the Borough of Woodcliff Lake Clerk's office at 188 Pascack Road, Woodcliff Lake, New Jersey 07677; the Hillsdale Public Library at 509 Hillsdale Ave, Hillsdale, New Jersey 07642; the Upper Saddle River Public Library at 245 Lake Street, Upper Saddle River, New Jersey 07458; and the Department of Environmental Protection, Green Acres Program Office, 501 East State Street, Trenton, New Jersey 08625.

Written comments on the ROSI amendment request may be directed to Tomas Padilla, Administrator of the Borough of Woodcliff Lake at 188 Pascack Road, Woodcliff Lake, New Jersey 07677, and he may be reached by phone at 201-391-4977, ext. 216. Please send a copy of any comments submitted on this request to the New Jersey Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship, PO Box 412, Trenton, New Jersey 08625-0412.

Public comment on this ROSI amendment request will be accepted during the public hearing or until May 29, 2017. On or after May 31, 2017 the Department of Environmental Protection may take formal action to approve the proposed ROSI amendment request.

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

Joseph LaPaglia, Woodcliff Lake, asked who the owner is of this property. Councilman Belgiovine replied that the Borough owns the property. Mr. Belgiovine also stated that this property was submitted on a report to Green Acres as being part of the ROSI inventory which is the Recreational Open Space Inventory but it wasn't purchased with that money. This was added to a list by accident. Mr. LaPaglia asked what this allows. Councilman Belgiovine replied that we had an auction last year to auction off the property. Last year a buyer attempted to purchase it and during title search it came up that it was on the Green Acres list. In order to get it removed there was a process that we had to go through and had to get a certification from Mayor Higgins who was Mayor at the time that this was added to the list by error. We had to submit that to the State, put an ad in the paper twice, put a sign on the property, notice residents that were 200 feet within the property and have a public hearing. Once this is removed off the list, we could go back to the bidder and sell this property.

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

**BUDGET**

Resolution No. 17-112                      Resolution Authorizing the Waiver of Reading in Full of the 2017 Budget

**ROLL CALL:**

Introduction: Mr. Piantino  
Second: Mrs. Gadaleta  
Ayes: Mr. Belgiovine, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington, Mr. Piantino, Mr. Panso  
Nays: None  
Abstain: None  
Absent: None

**BUDGET PRESENTATION – Presented by Paul Lerch and Harold Laufeld**

**PUBLIC HEARING (Comments from Public)**

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

Joseph LaPaglia, Woodcliff Lake, stated that it was a very nice presentation and overall he feels it is a good budget. Mr. LaPaglia also stated that the legal fees keep going up and has increased in the budget \$50,000. Mr. LaPaglia asked if the bulk of that is for the BMW tax appeal. Mr. LaPaglia stated that he had listed to the court case and the Judge has 60 days to render his opinion. Councilman Belgiovine stated that the \$50,000 is for other litigation. Mr. LaPaglia stated that he assumes that part of that \$50,000 is for BMW. Councilman Piantino replied that that not

necessarily is the case. Councilman Belgiovine stated that we anticipated a certain amount annually. The increase has to do with increased litigation. Mr. LaPaglia stated that with respect to the BMW tax appeal litigation, if the resident is successful in challenging the reduction that was given to BMW on their assessed value, how would that be accounted for. Part of the original settlement that is being challenged in court, the Borough is to make a \$4 million payment. Mr. LaPaglia asked what would happen if we don't need the \$2.2 million in tax appeal reserve. Mr. Lerch replied that he would think that there will be some time that we will need to spend that \$2.2 million on tax appeals. Mr. LaPaglia asked if we are taking a conservative approach in setting aside the money for a payment to BMW. Councilman Belgiovine stated that the money is not only for BMW but for additional tax appeals. Mr. LaPaglia asked what the increase is for under Planning Board professionals. Councilman Belgiovine replied that it was for the extra work that Marc Leibman and Richard Preiss are working on for Fair Share. Council President Panso stated that we are also going to have to update our Master Plan to accommodate the Fair Share and that is going to be an additional expense in the future. Councilman Piantino stated that the increase is for the Planning Board's use of professionals in order to deal with a very real legal issue. Councilwoman Hayes stated that she thought that when this was reviewed, the jump from \$15,000 to \$45,000 did not include changes to the Master Plan. Councilman Belgiovine replied that it does not.

Councilman Piantino stated that when everyone hears of legal expense they all get excited. Mr. Piantino further stated that since he has been on the Council, Mayor Rendo has asked him to go over each and every legal invoice that we get. He does this on a weekly basis and in fairness, there have only been two instances that he had questions. The legal professionals that we have are working for very reasonable rates. Mr. Piantino stated that the Borough could be sued virtually for anything at any time. The travesty of the Dolan case is an example of legislation which enables a resident to bring litigation just because they feel that something that the Governing Body did had a negative impact on them. The point is that the issue of legal fees is very much on the minds of everyone on this Council and they look at it very carefully on a day to day basis. Additionally, the reality is that there is a certain amount of litigation that is unavoidable and there is nothing that they will be able to do about it.

Bert Taylor, Woodcliff Lake, congratulated the Council on where the budget stands. Mr. Taylor stated that last year we had \$50,000 in the Capital Budget and this year is \$100,000. Why the increase? Councilman Belgiovine stated that there was a decrease this year in the Capital Budget. The building and grounds improvement list this year included the police department and dpw getting some upgrades.

Josephine Higgins, Woodcliff Lake, asked if the Master Plan needed to be totally done this year. Council President Panso stated that he didn't think so but this is something that has to come from the Planning Board. Ms. Higgins asked when the Council would know when it would be time to do the Master Plan again or just update it. Ms. Higgins stated that there has not been a Planning Board meeting since the Reorganization Meeting in January. Councilman Belgiovine replied that he thinks it is time but they are waiting for the Planning Board. Council President Panso stated that the latest revision was done in 2012 and agrees that most of the Council think it is time to

redo it, but it must come from the Planning Board. He does not believe that the Planning Board is going to act until the COAH/Fair Share Housing has been settled. The housing element has to go into the Master Plan.

Don Columbo, Woodcliff Lake, asked for a recap if the Municipal Budget goes up by a maximum of 3.5% this year and total property evaluation went up by 3.3%. Administrator Padilla stated that the average home should see about a \$35.00 increase on the municipal portion only. Mr. Columbo asked when the final numbers would be given out. Councilman Belgiovine replied that we are just waiting on the County.

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

**Resolution No. 17-113                      Resolution to Adopt the 2017 Budget**

MOTION to adopt the 2017 Budget was made by Councilman Belgiovine and seconded by Councilwoman Herrington.

Councilwoman Gadaleta commended Councilman Belgiovine, Administrator Padilla, Harold Laufeld and Paul Lerch and everyone else that worked on the budget. She knows that they devoted so much time and energy and have the town's best interests at heart. Mrs. Gadaleta had a few questions. On the revenue side, Park and Recreation, last year we took in about \$239,000. Why are we only budgeting \$220,000 this year with a full-time Park and Rec person and are improving all of our facilities. Why are we not at least meeting what we received in last year. Councilman Belgiovine stated that in our professional point of view, it might be a little less conservative to expect that you will take in the same amount this year. Mrs. Gadaleta stated that we are also going up about \$18,000 on the Park and Recreation expense side. We are going up in expenses and down in revenue. Councilman Belgiovine stated that our anticipated revenue is up much higher that it was last year. Councilman Belgiovine stated that Councilwoman Gadaleta is talking about the actuals but the anticipated revenue last year was \$185,000 to \$200,000 and we increased it to \$220,000 this year. Councilman Belgiovine stated that if you look at the past 3 years, we have increased the expense side and revenue side equally. Councilwoman Gadaleta stated that we had part-time then and now we have full-time. Councilwoman Gadaleta's next comment was regarding hotel tax. Last year we received in \$289,000 and this year we are budgeting \$207,000. Why are we not up to \$280,000? Did anyone talk to hotel management? Administrator Padilla stated that the Mayor and Council gets a monthly report regarding the hotel taxes and they are even lower than what we have in the budget. Harold Laufeld replied that in 2017 we collected \$72,000 and in 2014 we collected \$346,000, in 2015 we collected \$312,000, and in 2016 we collected \$288,000. Councilwoman Gadaleta asked what the reason was behind this. Council President replied that Mercedes Benz, Sony and Hertz moved out. Councilwoman Gadaleta stated that last year we came in very high with construction code fees with \$415,000 as our actual and last year we budgeted \$260,000. The additional money went into surplus. This year our budget is showing \$300,000 but last year we brought in \$415,000. Do you think that this is a light number? Administrator Padilla stated that we are anticipating there will be some more building permits but for the first couple of months we are lower than last year.

Ms. Gadaleta asked why the Group Life Insurance went up \$60,000. Administrator Padilla replied that the retiree health benefits went up and our dental insurance went up slightly. Ms. Gadaleta asked why Park and Recreation is going up \$18,000. Councilman Belgiovine stated that we are covering the entire salary this year, last year was a partial salary. Councilwoman Gadaleta stated that there was a Sergeant that retired this year and the expense in the budget was \$129,000. Why is that salary still in the budget? The police department usually stays within their budget overall. If it doesn't get met with salary it might get met with overtime. Last year we ran about \$100,000 over in overtime and this is the Chief's way of making sure we stay within budget. Councilwoman Herrington stated that the number for overtime was affected by the fact that Sergeant Jennings is out and we have to cover her shifts and we also have another officer out right now. Additionally, the new officer does not start until June and then he will be riding with another officer for at least 3 months. Council President Panso stated that all of the Chief's overtime expenses last year was to cover for the officer that was out.

Councilman Piantino stated that this raises a good point. Have we gone back and look at the amount of overtime expense over the last 5 years? Councilman Belgiovine stated that they are very good about their overtime. Last year was the only year and it was because they had an incident that they were hit with 3 people out at the same time. Councilman Piantino stated that it is natural to have somebody out on injury all the time with a staff of 18. Councilman Piantino stated that if we are historically paying money in overtime in the neighborhood of \$60,000 and up and we just hired someone for \$40,000, we might need discuss the number of officers that we have. Councilwoman Herrington stated that we have had some discussions regarding this and they are discussing it further but it has to be done strategically.

**ROLL CALL:**

Introduction: Mr. Belgiovine

Second: Mrs. Herrington

Ayes: Mr. Belgiovine, Mrs. Hayes, Mrs. Herrington, Mr. Piantino, Mr. Panso

Nays: Mrs. Gadaleta

Abstain: None

Absent: None

Council President Panso read a statement from Mayor Rendo.

Dear Residents,

I wanted to excuse myself for not attending our Mayor and Council meeting tonight. Four years ago, I was involved in an automobile accident in the Borough. As a result of that accident, I herniated my C-4-C-5 and C-5-C-6 disc in my neck. This morning I underwent neck fusion surgery to relieve the pain. I am confident that I will recover and join you at our next Mayor and Council meeting. I want to take this time to thank our Finance Committee, our Borough Administrator, Tom Padilla, our Finance and Personnel Councilman Corrado Belgiovine, and the entire Council for finalizing our budget. Our Council strives to keep a balanced budget. This year's tax increase is minimal and will be less than last year and the year before. Given the challenges we face with

ever increasing mandated cost, this budget reflects our commitment to finding ways to cut fat while maintaining our commitment to our residents to provide top notch services.

Thank you,

Carlos A. Rendo, Mayor

Council President Panso stated that the Mayor went through his surgery and made it out fine.

Council President Panso stated that at 3:30 this afternoon a jet crashed going into Teterboro Airport. From the reports that we saw, both the pilot and co-pilot were killed. The plane crashed into the DPW parking lot of Carlstadt which is a neighboring town to Teterboro. This is something that is concerning to everybody. The Mayor did attend the meeting last month at Teterboro Airport about changing the flight plans. Unfortunately this is a tragedy for the people who were involved and died but maybe this is a wake-up call to the FAA that we could get some meaningful action on this. We are going to keep on top of this.

#### **MOMENT OF SILENCE – DORA KUEHLKE**

#### **COUNCIL PRESIDENT REPORT**

Council President Panso stated that he received some disturbing news from our police department. Over the last two weeks, there have been two incidences in town that have caused concern with our police department. These incidences started out as noise complaints but turned out to be house parties with underage teenagers drinking. In both instances the police had to deal with vomiting teens and unconscious kids lying in the grass. One of the teens that was hospitalized had a blood alcohol level of .24. In New Jersey the legal limit for being considered DWI or under the influence is .08. This reading is three times the legal limit. This type of behavior is very dangerous. The real troubling part about all this is that both parties' parents and adults were present. With the prom and graduation season upon us, this type of behavior will not be tolerated by our police department. It is against the law to provide alcohol to minors. It is also against the law to provide a place for kids to drink. The criminal penalties for these incidences ranges from summonses all the way up to a third degree crime of endangering the welfare of children. If one of these minors is injured at your party, and you get sued, the outcome will be way worse than the criminal charges. Most parents want to be parent and friend to their kids. When it comes to these types of behavior, you have to just be a parent and learn how to say no. Talk to your kids. Talk to your kid's friends and talk to your kid's friends' parents. Life is too precious, be proactive. No one wants to lose a child.

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

- **PROCLAMATION FOR TOURETTE SYNDOME AWARENESS, presented by Councilwoman Gadaleta**

Councilman Belgiovine stated that he had his daughter's Communion and he wanted to thank Officer Foley and Lieutenant Burns for responding. His uncle had very, very low blood pressure and fainted at the table. They called 911 and they were literally on the scene within 4 minutes of making the call.

Administrator Padilla stated that today is Peace Officer Memorial Day. It is a day that we remember all fallen police officers in the United States. The President was down in Washington today honoring those officers. There is a wall down there at the National Law Enforcement Memorial and an officer killed in the line of duty their name is added to the wall. As part of raising money for that wall, there are several officers from the area, actually Officer Foley's wife was one of them, who rode The Unity Tour down to Washington D.C.

Councilwoman Hayes stated that today they had a Community Forestry Plan meeting with our consultants. Councilwoman Hayes met with Mr. Padilla and Marilyn Clark afterwards. Councilwoman Hayes just wanted to stress the importance of it. There was a great attendance from our Shade Tree Committee. The importance of the Community Forestry Plan is that it feeds into New Jersey Sustainability which allows us to apply for more grant. More grants is more money into the town. Other interesting things that came out of the meeting today was our Green Team and getting some more Shade Tree members involved in our Green Team. Councilwoman Hayes and Mr. Padilla spoke about that and we are going to have some subsequent conversations around that. Another topic that came up was an Environmental Commission. We have a new member in Shade Tree and he is really interested in having an Environmental Commission and Montvale has one. Councilman Hayes stated that she doesn't know what we are going to do with that yet but if anyone is interested in being part of an Environmental Commission for Woodcliff Lake we will be exploring it.

## **PUBLIC COMMENT**

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

Josephine Higgins, Woodcliff Lake, stated that she has been on the Ambulance Corp. for many years. Ms. Higgins stated that we talked about the alcohol situation. Ms. Higgins stated that the thing that she doesn't think people grasp is the problem we are having with heroin. Our police officers carry narcan as well as the Ambulance Corp. Narcan saves a person's life because heroin stops them from breathing. Ms. Higgins stated that she would really like to see us take a head start to allow all EMTs to carry narcan on them. The ambulance has it and police officers carry it, but EMTs do not carry it on them at all times. Ms. Higgins is asking the Mayors of Woodcliff Lake, Montvale and Park Ridge to get together and speak to our Assembly people to try and get something passed at a State level where people can be trained to carry this with them.

Ms. Higgins stated that there was a woman who wrote had the courage to write an obituary that her son had died from an overdose of heroin. Ms. Higgins thought to herself what an unbelievable woman who had the courage to try and get the word out to help others.

Bert Taylor, Woodcliff Lake, asked if there has been a discussion or thoughts on the part of the Mayor and Council in terms of immigration. Specifically, either pro or against being a safe "city". Mr. Taylor stated that he is just curious especially if anything is going on in the police department as to whether they should be looking into that or should not be looking in that. These are public things at the National level starting to trickle down to the lower levels and is just curious. Councilman Piantino replied that he is not quite sure what is being asked. Councilman Piantino asked if Mr. Taylor's was asking if the Mayor and Council has entertained the idea of Woodcliff Lake being a sanctuary city. Mr. Taylor replied "or not" or in fact our police department might theoretically be involved in support if they were going into our schools to question one of our students. Councilman Piantino stated that it would be outside the scope of Mayor and Council and would in the hands of the Board of Education because it would be happening on school property. Administrator Padilla stated that the police department gets their authority from the County Prosecutor and in turn from the Attorney General. There are Attorney General Guidelines of what they can and should be doing.

Cheryl Dispoto, Woodcliff Lake, stated that she was at the BMW trial Monday and Tuesday of this week and she disagrees with Mr. Piantino about the legislation giving residents the right to litigate. Ms. Dispoto thinks that the BMW case is an example of where sometimes legislation is needed when it gives residents standing to challenge the government when government goes awry. What she witnessed watching about 6-7 hours of Mayor Goldsmith's testimony on Tuesday is the BMW debacle is a case where the government went awry for the residents. Mayor Goldsmith met with BMW executives numerous times, alone, without counsel while there was live tax appeal litigation going on. He had numerous meetings and the Borough did not have a tax assessor at that time in violation of state law between July and November 23, 2014 when Ms. Potash was let go. Ms. Dispoto encouraged the Council to look at the depositions and look at the email trail that is available on this. Ms. Dispoto stated that she is forever disappointed that when we had a new administration take office that collectively all of the Council as a group, except for Mr. Piantino because he wasn't here, but many of the Council did not take the time to try and be more creative on a settlement agreement that we now know from the testimony was never even executed. Why we did not try and go back in and have a conversation with BMW. The reality of the situation is that this was done with no construction costs, no cost estimate, and no appraisal and even after 2013 Council voted to do that. Ms. Dispoto stated that she will forever be disappointed that we did not get a little more creative when new administration came in. Look at the discovery in this case, read the email trail, because what she read going up to the trail and what she observed during the testimony that it is not very hard to connect the dots. It was a really bad deal for Woodcliff Lake and we are continuing to defend a really bad deal. We spent a lot of money doing it.

Councilman Belgiovine replied that we had multiple professionals, old and new, that took a look at this. Ms. Dispoto replied that there are always multiple professionals that make opinions about certain things, but the professionals are only as good as those driving the professionals. Ms. Dispoto stated that your professionals could be as creative or not as creative as you want them to be.

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

**NON-CONSENT AGENDA**

Resolution No. 17-120                      Resolution Authorizing the Borough Engineer to Undertake Work with Regards to the 2017 Municipal Road Program in the Borough of Woodcliff Lake

**ROLL CALL:**

Introduction: Mr. Belgiovine  
Second: Mr. Piantino  
Ayes: Mr. Belgiovine, Mrs. Gadaleta, Mrs. Hayes, Mrs. Herrington, Mr. Piantino, Mr. Panso  
Nays: None  
Abstain: None  
Absent: None

**CONSENT AGENDA**

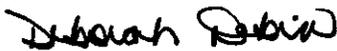
MOTION to Approve the Consent Agenda was made by Councilman Piantino, seconded by Councilwoman Herrington and unanimously approved.

**ADJOURNMENT**

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

Meeting was adjourned at 9:45 PM.

Respectfully submitted,



Deborah Dakin, RMC, CMR  
Borough Clerk

**BOROUGH OF WOODCLIFF LAKE  
CALENDAR YEAR 2017  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**ORDINANCE 17-02**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.50% or the cost of living adjustment, whichever is less, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, the cost of living adjustment for calendar year 2017 budgets is calculated at 0.5% pursuant to N.J.S.A. 40A:4-45.2 and amounts to \$45,923; and

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake in the County of Bergen finds its advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$275,536 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Woodcliff Lake, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Woodcliff Lake shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$321,459, and that the 2017 municipal budget for the Borough of Woodcliff Lake be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BOROUGH OF WOODCLIFF LAKE  
Bergen County, New Jersey

**ORDINANCE 17-03**

**AN ORDINANCE TO STRIKE ARTICLE II OF CHAPTER 326 IN FAVOR OF CREATING CHAPTER 327 OF THE BOROUGH TO GOVERN THE EXCAVATION AND CONSTRUCTION IN PUBLIC STREETS IN 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**, the Borough of Woodcliff Lake Code Chapter 326 Article II (§326-3 through §326-15) address the procedures necessary and practice of excavating in a public street; and

**WHEREAS**, that Mayor and Council wish to update such procedures and practices in order to secure the safe and proper condition of the Borough's roadways; and

**WHEREAS**, that Mayor and Council wish to create a new chapter of the Borough Code at Chapter 327 to contain such procedures and practices in order to secure the safe and proper condition of the Borough's roadways; and

**WHEREAS**, this newly created chapter of the Borough Code at Chapter 327 shall render the procedures and practices contained in Chapter 326 Article II moot. As such, the Mayor and Council wish to strike Chapter 326 Article II entitled "Excavation in Public Streets" (§ 326-3 through §326-15) from the Borough Code.

**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 Article II of Chapter 326 entitled "Excavation in Public Streets" (§ 326-3 through §326-15) is repealed in full.

**Section 2.** A new chapter of the Borough Code shall be created at Chapter 327. Chapter 327 of the Borough of Woodcliff Lake Code shall now read as:

**Chapter Title:** Chapter 327: Excavation and Construction in Public Streets

**Article I. Title; Definitions**

**§ 327-1 Title.**

This chapter shall be known as "Excavation and Construction in Public Streets."

## **§ 327-2 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**STREET** - Any road, highway, public way, public alley, easement or other right-of-way accepted or maintained by the Borough of Woodcliff Lake as a public street, as well as any state or county road or highway over which the Borough has acquired jurisdiction by agreement.

**SUPERINTENDENT** - The Superintendent of Public Works of the Borough of Woodcliff Lake.

## **Article II. Permits, Deposits Required, Maintenance Guaranty, Bond, Insurance and Transferability**

### **§ 327-3 Permit required; exceptions.**

- A. It shall be unlawful for any person, persons, firm or corporation to open, grade, tear up any of the road surfaces off, or make any excavation in, any of the public streets, avenues, highways or public places in the Borough, for the purpose of constructing surface or subsurface improvements or for the purpose of laying, examining, replacing or repairing of gas mains, water mains, sewers, sewer connections, telephone conduits, electrical outlets, or for any other purpose, except and until they have satisfied the provisions of this ordinance and received the proper consent, permission and approval of the Borough of Woodcliff Lake, in writing and with the necessary consultation and review by the Superintendent, Foreman or his designee, of the Department of Public Works and/or the Borough Engineer.
- B. A tunnel or excavation may be commenced without a permit where an emergency has arisen which makes it necessary to start work immediately, provided that the application for a permit is made simultaneously with the commencement of the work or an application for a permit is filed with the Borough within twenty-four (24) hours of the Street opening or on the next business day, whichever is more practical. All fees and requirements for a permit shall apply.  
This subsection shall be strictly construed, and in any prosecution for a violation of this subsection, it shall be presumed, in the absence of evidence to the contrary, that no emergency existed.
- C. When a tunnel or excavation is commenced without a permit due to an emergency, the Woodcliff Lake Police Department and Department of Public Works shall be notified of the nature of the emergency and the nature of the work to be done prior to the commencement of the work. The excavation shall be performed in accordance with the provisions of this section.

#### **§ 327-4 Application for permit.**

- A. All applications for permits referred to in this section shall be made in writing to the Borough Administrator, at least five (5) business days in advance of the proposed road opening, unless it is an emergency. The application shall:
1. Specify the name and address of the individual, firm, corporation or Utility for whose benefit the excavation is to be made.
  2. Specify the name and address of the excavation, construction and/or restoration contractor(s)
  3. Identify specific location of the proposed excavation and the width, length and depth thereof.
  4. Confirm Borough jurisdiction of the work area and provide a list of all federal, state, local governmental/quasi governmental agencies having jurisdiction thereover, and if such agencies require approval, whether such approval has been obtained and provide copies thereof.
  5. Identify the type of road surface.
  6. Identify the location of any and all utilities, storm drains, sanitary sewers or sewer mains within ten (10') feet of the limits of the proposed opening.
  7. Identify excavation start date and expected duration and method of repair.
  8. A traffic detour plan shall be provided for all projects for review and approval by the Chief of Police.
  9. Identify the applicable fees for the issuance of the Permit as hereinafter provided, together with the charges as hereinafter set forth.
  10. Include a signed statement by the applicant agreeing to indemnify the Borough and hold it harmless from and against any claim, liability, damage and/or expense, including any attorney fees, arising out of the granting of the Permit or from any negligence or fault of such applicant, his servants or agents in connection with any of the excavation performed under or in connection with such Permit and signature of the applicant upon the Borough provided check list for compliance of this ordinance.

#### **§327-5. Deposits Required.**

- A. The permit deposits shall be in the following amounts for each opening excavated, up to 100 square feet of area disturbed:
1. For openings on any road paved with concrete: seven hundred fifty (\$750.00) dollars, plus \$7.50 per square foot over 100 square feet.
  2. For openings on any road paved with macadam: five hundred (\$500) dollars plus \$5.00 dollars per square foot over 100 square feet.
  3. For openings on any unimproved road or unpaved portion of improved roads: two hundred fifty (\$250) dollars plus \$2.50 per

square foot over 100 square feet.

4. Regulated utilities governed by the New Jersey Board of Public Utilities pursuant to N.J.S.A. Title 48 are exempted from this section.
- B. No permit shall be granted unless the sums hereinafter set forth shall be paid to the Borough. These sums shall be held by the Borough until eighteen (18) months after the completion of each improvement, as a security deposit to guarantee the completion of the improvement and maintenance thereof for eighteen (18) months thereafter, pursuant to the terms of the application, in a good and workmanlike manner and in accordance with the specifications and standards of the Borough to the satisfaction of the Mayor and Council. Eighteen (18) months after such completion, the Borough shall return the deposit to the applicant provided the work has been properly complete and maintained. Upon failure to complete and maintain the improvement to the satisfaction of the Borough, the Borough may complete and maintain the improvement, using the moneys so deposited or so much thereof as is necessary for such purpose, returning the balance of the deposit, if any, to the applicant after eighteen (18) months from the date of completion. If the security deposit is insufficient to pay for the cost of remediating the work the person or entity responsible shall be obligated to reimburse the Borough for any excess costs which may be collected in accord with the Borough Code.
- C. The original of each permit and accompanying documents shall remain on file with the Superintendent of Public Works.

#### **§ 327-6 Issuance and term of permits.**

Permits shall be issued under the authority of the Superintendent of Public Works and in accordance with the provisions of this chapter and any regulations which the Superintendent may establish. The Superintendent of Public Works shall determine the initial time period during which a permit shall be valid and any conditions of the permit after consulting with the Chief of Police concerning potential motor vehicle and pedestrian traffic problems which may be caused by the proposed work as per the traffic detour plan and, if necessary, with the Borough Engineer concerning any dangers to the public or abutting property owners which may be caused by the proposed work.

#### **§327-7. Fees.**

Fees must be paid when the application is made.

- A. The applicant shall pay the fees as provided in Chapter 163, Fees.
- B. At the discretion of the Chief of Police, if it is necessary for the municipality to station a police officer near the excavation to direct traffic, the applicant shall also be charged an amount sufficient to compensate the Borough for the expense of stationing a police officer at or near the excavation.
- C. Should the Superintendent of Public works deem it necessary to refer the matter to the Borough Engineer the applicant shall be obligated to pay the

Borough for the cost of the engineering fees, which fees shall be established with the consent of the Mayor and Council and shall be paid in advance for the engineering services.

- D. All improvements made hereunder shall be inspected by such persons as may be designated by the Borough Superintendent of Public Works, Foreman or his designee, and the applicant shall pay in advance to the Borough, by certified check, the amount estimated by the Borough Engineer to cover the inspection fees. The charge shall be reasonable and established by the Mayor and Council. In the event the charge has been overestimated, at the completion of the work, the applicant shall receive a refund of the overpayment. If the charge has been underestimated, the applicant shall be required to make an additional deposit of money with the Borough to cover such underpayment.

#### **§327-8. Performance Bond.**

Before a permit is granted by the Mayor and Council, the applicant shall be required to furnish a performance bond with sufficient surety, conditioned upon the completion of such improvement or improvements to the satisfaction of, and within the time designated by the Mayor and Council, and further conditioned upon the furnishing of a maintenance bond with sufficient surety in an amount of one-fourth (1/4) of the sum of the performance bond, to maintain such improvement or improvements against defective workmanship and material and inherent defects due to faulty workmanship or material for a period of eighteen (18) months from the date of completion and acceptance of such improvement or improvements. The performance bond shall be in such amount as estimated by the Borough Engineer to cover the costs of the improvement or improvements, and all expenses incidental thereto, plus twenty-five (25%) percent over and above the amount. In lieu of bonds, the applicant may deposit cash in sums equal to the amounts, which would otherwise be secured by the bonds aforesaid; and upon failure of the applicant to complete or maintain such improvement or improvements to the satisfaction of the Borough, the Borough may complete or maintain said work, using the money so deposited or so much thereof as is necessary for such purpose, returning the balance of the deposit, if any, to the applicant. Fees for the examination and review of the aforementioned bonds shall be paid to the Borough Attorney by the applicant.

#### **§ 327-9 Insurance.**

No permit shall be issued until the applicant shall have filed a certificate of an insurance company authorized to do business in the State of New Jersey that the applicant has a comprehensive liability insurance policy insuring the applicant against any claim for personal injury and/or property damage arising out of or in connection with the work to be undertaken pursuant to said application with the minimum limits of protection against claims for personal injury to one person in the sum of \$100,000 and for more than one person in one accident in the sum of

\$300,000 and against claims for property damage with the minimum limit of \$100,000.

**§ 327-10 Eighteen (18) month maintenance guaranty.**

- A. All work performed under the permit shall be guaranteed for a period of eighteen (18) months after completion from any defects in workmanship or materials. Eighteen (18) months after the excavation has been patched, the permittee shall arrange for an inspection of the work by the Superintendent of Public Works, who may approve or disapprove of the fill and patching work and so notify the permittee. In the event that the work is disapproved, the Superintendent shall specifically advise the permittee of the defects and provide the permittee with 30 days to correct them.
- B. In the event that the permittee shall fail to correct said defects after the end of the thirty-day period, the Borough may use the cash bond posted with the Borough in accordance with § 327-8 herein to correct the work to the satisfaction of the Superintendent of Public Works.
- C. After the Superintendent has approved of the work eighteen (18) months subsequent to the completion of the work in accordance with this section, or in the event that the Borough has performed corrective work under this section, any cash funds remaining with the Borough shall be returned to the permittee at its last known address.

**§ 327-11 Transferability; commencement of work; possession of permit; revocation.**

- A. Transferability. Every permit shall apply only to the person to whom it is issued and shall not be transferable.
- B. Commencement of work. Work under a permit shall commence within 45 days from the date of issuance of the permit. If work is not commenced within that time, the permit shall automatically terminate.
- C. Possession of permit. A copy of the permit, together with a copy of the plan endorsed with the approval of the Superintendent of Public Works, shall be kept in possession of the person actually performing the work and shall be exhibited on demand to any municipal official, employee of the Superintendent of Public Works or any police officer of the municipality.
- D. Revocation of permit. The Superintendent of Public Works may revoke a permit for any of the following reasons:
  - 1. Violation of any provision of this chapter or any other applicable law or ordinance.
  - 2. Violation of any condition of the permit issued.
  - 3. Carrying on work under the permit in such a manner which endangers life or property or which creates any condition which is unhealthy, unsanitary or declared by any law, ordinance or regulation to constitute a nuisance.

### **Article III. Opening, Grading and Improvements**

#### **§ 327-12 Rules and regulations.**

All permits issued under this article shall be subject to the following rules and regulations:

- A. All excavations shall be kept properly barricaded at all times and during the hours of darkness shall be provided with proper warning lights. This regulation shall not excuse the permittee from taking any other reasonably necessary precaution for protection of persons or property.
- B. All work shall be done in such a manner as to cause a minimum of interference with travel on the street affected. Permittee shall abide by all regulations contained herein with regards to traffic and notice to the Borough of Woodcliff Lake police Department. Unless in an emergency, no street shall be closed to traffic unless the closing is approved by the Mayor and Council by resolution.
- C. The Superintendent may, upon application by the permittee, extend the time limit during which the permit shall be valid.
- D. No work shall be done in such a manner as to interfere with any water main or other utility or any connection with any utility from any building, unless that is the purpose of the excavation or permission has been obtained in advance from the appropriate officer or department of the municipality or the company having charge of the utility. No work shall be carried on in such a manner as to result in the destruction or damaging of any property in the Borough of Woodcliff Lake, unless this is necessary for the completion of the work and permission has been obtained in advance from the municipal department or agency having jurisdiction over such property.
- E. Unless otherwise approved by the Township Engineer, all construction details shall comply with New Jersey Residential Site Improvement Standards.
- F. All materials and methods of construction shall comply with the New Jersey Department of Transportation Standard Specification for Road and Bridge Construction, dated 2007, and all revisions and amendments thereto.
- G. The permittee shall cut all pavement with saw or other like equipment prior to excavation.
- H. Where the Superintendent of Public Works determines it is necessary, the permittee shall cut back existing pavements using a milling machine, or equal means, to produce straight and clean lines along the existing pavement prior to placing final pavement.
- I. All excavations shall be completely backfilled by the permittee. As much as possible of the material excavated shall be replaced. Such material shall be compacted by tamping or other suitable means in a manner prescribed by the Superintendent of Public Works. Where the Superintendent of Public Works determines that the excavated material is unsuitable for backfill, the permittee shall fill the excavation with clean crushed stone or other suitable material, which shall be placed in layers not exceeding 10 inches in depth and thoroughly compacted in a manner prescribed by the Superintendent. Upon completion of the work, the permittee shall remove any excess material and

leave the premises in a clear condition. If the Superintendent determines that any backfilled excavation has settled or caved in, he shall so notify the permittee, who shall promptly continue backfilling until the Superintendent determines that settlement is complete.

- J. If tunneling operations are required, the tunnels shall be backfilled with rammed concrete composed of one part portland cement to six parts of sand.
- K. If blasting is required to be done in the course of any excavation, it shall be done in strict compliance with all applicable state laws and regulations. Any rock or other substance within five feet of any water main, storm drain or other facility which may be damaged by blasting shall be removed without blasting. Any blasting requires review by the Borough Engineer at the permittee's expense.
- L. If the work is not completed within the time specified in the permit or any extension granted by the Superintendent of Public Works or is not performed in accordance with the regulations set forth in this section and any other regulation that may be established by the Superintendent of Public Works, then the municipality may complete the work and restore the surface of the street. The cost of completing the work and restoring the street shall be charged to the permittee from the permittee's performance bond or cash security or may be recovered in an action in any court of competent jurisdiction.

#### **§327-13. Staging for Excavation.**

Not more than one-half (1/2) of the trench shall be excavated at one time where the trench will run from one side of the pavement to the other, and the part so excavated shall immediately be backfilled under the supervision of and to the satisfaction of the Superintendent of Public Works or his/her designee.

#### **§327-14. Manner of Backfilling and Restoration.**

- A. The backfilling of the trench shall proceed in the following manner, namely: earth, sand, gravel or broken stone removed from the trench shall be replaced in layers not exceeding twelve (12") inches in depth, and shall be properly compacted. The work of refilling shall continue in this manner until the material is brought up to within twenty-four (24") inches of the finished pavement, any rocks larger than six (6") inches in diameter shall be removed. The first layer shall be ¾ inch Quarry Processed (QP) rock. The backfilling shall be continued until the top thereof, after being thoroughly compacted, shall be one (1") inch higher than the pavement. No animal or vegetable matter or refuse shall be used or permitted in the backfill, and all refuse or surplus material from the trench shall be removed from the work area immediately after the trench has been excavated. After the fill has thoroughly settled, the road surface shall be restored to a like new condition.

- B. The person or entity conducting this work shall remain responsible for the repair of the resurfaced repair work for a period of eighteen (18) months and shall repair same, if required by the Superintendent of Public Works or his/her designee as provided herein.
- C. Any restoration of macadam which is not milled and paved shall be completed using infrared paving to ensure a smooth transition from the adjoining surface.
- D. Any excavation in excess of thirty five (35) square feet on a road that has not been paved within the last five (5) years shall be restored as curb to center line resurfacing for the full limits of the excavation perpendicular to the curb.
- E. Any excavation in excess of thirty five (35) square feet on a road that has been paved within the last five (5) years shall be restored as curb to curb resurfacing for the full limits of the excavation perpendicular to the curb.
- F. Residential home owners can request review and reduction of the restoration requirements. Same must be approved by the Borough Engineer. Cost of review from the Engineer shall be at the residential home owners' expense.

**§327-15. Interference with Gutter Flow, Traffic; Permits.**

It shall be unlawful for any person, firm or corporation to place any stones, earth, ashes, lumber, pipe or other materials of any description whatsoever upon any road or street so as to interfere with the flow of water along the gutters or so as to interfere with traffic on the road or street. Any unlawful exercise of this privilege shall be deemed a violation of this section and punishable by a fine as stated in **§327-17** of the Borough Code. Nothing herein shall apply to leaves or vegetative waste. The purpose of this subsection is to prevent construction related material from obstructing or interfering with the flow of water and or traffic.

**§327-16. Enforcement.**

It shall be the duty of the Borough Superintendent of Public Works, Building Code Official, Property Maintenance Official, Borough Police Department, or any other officer as the Mayor and Council may designate, to ascertain whether permits have been issued covering each operation, supervise all excavations, backfilling and restoration as provided herein.

*§327-17 through §327-24 shall be reserved for future amendments.*

**Article IV. Violations and Penalties.**

**§327-25. Violations and Penalties.**

- A. Any person, firm or corporation violating any of the provisions of this section, or neglecting or refusing to comply with any of the terms of conditions

hereof, shall, upon conviction, be liable as follows:

1. Any person, firm or corporation violating any of the provisions of this section shall, upon conviction, be liable to the penalty stated in N.J.S.A. 40:49-5 including a fine not exceeding \$2,000.00 for each violation.
  2. Any person, firm or corporation failing to make the required deposit shall be subject to: The amount set forth in subsection §327-5 plus \$1000.00. Failing to make the required deposit shall be a separate offence from any other violation of this section.
  3. Any person, firm or corporation failing to deposit a performance bond shall be required to provide such bond or the cash equivalent pursuant to §327-8 as determined by the Borough Engineer plus a fine of \$1000. Failing to deposit a performance bond shall be a separate offence from any other violation of this section.
  4. Opening a roadway without a permit and/or failing to comply with the provisions for filing an application for emergency work within 24 hours of conducting the work or the first business day thereafter: The amount set forth in subsection 327-5 plus \$1000.00. Failing to file a permit shall be a separate offence from any other violation of this section.
  5. Failure to restore any roadway as required shall be a \$1000.00 fine. Failing to restore a road way shall be a separate offence from any other violation of this section.
- B. Each and every nonconformance of this section, or each day that any provision of this section shall have been violated, shall be construed as a separate and distinct violation thereof.

#### **Article V. Power to make additional rules and regulations.**

##### **§ 327-26 Power to make additional rules and regulations.**

The Superintendent of Public Works may make any rules and regulations which he considers necessary for the administration and enforcement of this article, but no regulation shall be inconsistent with, alter or amend any provision of this chapter or impose any requirement which is in addition to or greater than those expressly or by implication imposed by this chapter. No regulations shall be effective unless they have been approved by resolution of the Mayor and Council. Copies of all current regulations shall be furnished to each permittee at the time of the issuance of the permit.

**Section 3.** 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 4.** 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 5.** 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. 17-04**

**AN ORDINANCE TO AMEND CHAPTER 5-39 ENTITLED "MAYOR AND COUNCIL AS APPROPRIATE AUTHORITY" OF THE BOROUGH OF WOODCLIFF LAKE CODE IN 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**, the Borough of Woodcliff Lake Code Chapter §5-39 designates the "Appropriate Authority" in regards to the governance of the Borough of Woodcliff Lake Police Department; and

**WHEREAS**, that Mayor and Council wish to amend chapter §5-39 so as to designate the Mayor of the Borough or his/her appointee from the Borough Council, the Borough Council President or his/her appointee from the Borough Council, and the Borough Administrator as the "Appropriate Authority".

**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 §5-39 of the Borough code shall be amended to designate a committee comprised of the Mayor of the Borough, The Borough Council President and one other Borough Council Member as the "Appropriate Authority" and shall now read as:

The Mayor of the Borough or his/her appointee from the Borough Council, the Borough Council President or his/her appointee from the Borough Council, and the Borough Administrator shall be designated as the Appropriate Authority as provided in the New Jersey statutes. They shall be responsible for the overall performance of the Police Department. They shall promulgate rules and regulations for the government of the Police Department and for the discipline of its members. Such rules and regulations shall be adopted by resolution of the Mayor and Council and shall become effective simultaneously with the final passage of this article. These rules and regulations may be amended and supplemented by resolution from time to time by the Mayor and Council as they shall deem necessary and appropriate.

**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**

**ORDINANCE NO. 17-05**

**'AN ORDINANCE TO FIX THE COMPENSATIONS OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF WOODCLIFF LAKE, COUNTY OF BERGEN AND STATE OF NEW JERSEY'**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Woodcliff Lake as follows pursuant to N.J.S.A. 40:48-1, 40:49-2, and 40A:9-165:

**SECTION I.** That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall be fixed for the year 2017 as follows

	<b>SALARY RANGE</b>	
	<b>MIN.</b>	<b>MAX.</b>
Mayor	4,550	7,150
Councilmembers	2,900	4,550

**SECTION II.** That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall be for the year 2017 as follows:

	<b>SALARY RANGE</b>	
	<b>MIN.</b>	<b>MAX.</b>
<b><u>Administration</u></b>		
Administrator	90,000	150,000
Admin. Asst./Fire Prev/Park & Rec Secretary	30,000	60,000
Director of Public Assistance	1,600	2,600
Summer Intern	9.00/hour	15.00/hour
<b><u>Clerk</u></b>		
Borough Clerk/Office Manager/Registrar/Safety	55,000	85,000
<b><u>Building Dept</u></b>		
Construction Code Official	30,000	50,000
Tech. Assistant/Planning-Zoning Board	40,000	60,000
Property Maintenance Official	10,000	17,000
Construction Supervisor	15,000	25,000
Building Sub code Official	10,000	20,000
Plumbing Sub code Official	5,000	12,000
Electrical Sub code Official	10,000	20,000
Fire & Mechanical Sub code Official	10,000	15,000
Zoning Official	5,000	12,000

	<b>SALARY RANGE</b>	
	<u>MIN.</u>	<u>MAX.</u>
<b><u>Finance</u></b>		
Chief Financial Officer (P/T)	25,000	55,000
Finance Supervisor	32,000	60,000
Finance Clerk	28,000	50,000
Tax Collector	42,600	66,000
Payroll Clerk/Benefits (PT)	20,000	40,000
Finance Clerk (Hourly)	18.00/hour	25.00/hour

**Fire Prevention**

Fire Prevention Official	12,000	22,000
Deputy Fire Prevention Officials	22.00/hour	30.00/hour
Fire Prevention Inspectors	20.00/hour	28.00/hour

**Additional Stipends**

Deputy Registrar	500 annually
------------------	--------------

**SECTION III.** Public Safety. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2017.

	<b>SALARY RANGE</b>	
	<u>MIN.</u>	<u>MAX.</u>
Police Chief	140,000	185,000
Captain	135,000	165,000
Admin. Asst./ Matron	30,000	60,000
Emergency Mgmt. Coordinator (P/T)	5,200	10,400
School Crossing Guards (P/T)	15.00/hour	21.00/hour

**SECTION IV.** Department of Public Works. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2017.

	<b>SALARY RANGE</b>	
	<u>MIN.</u>	<u>MAX.</u>
Superintendent	85,000	115,000
Foreman	60,000	90,000
Lead Man	50,000	85,000
Senior Labor/Driver/Asst. Mech	30,000	85,000
Sanitation	30,000	80,000
Labor/Driver	30,000	80,000
Facilities Maintenance	30,000	80,000

**Stipends/Licenses**

Recycling Coordinator	\$5,000 annually
Sewer License Holder	\$3,600 annually
Facilities Management	\$1,500 annually
Tree Truck (Main)	\$1,500 annually
Tree Truck (Asst)	\$1,000 annually

**SALARY RANGE**

**Seasonal/Part-Time/Stand-by**

	<b><u>MIN.</u></b>	<b><u>MAX.</u></b>
Ecology Lead (P/T)	25.00/hour	35.00/hour
Ecology Assistant (P/T)	12.00/hour	18.00/hour
Snow Plow Driver (P/T)	25.00/hour	35.00/hour
Summer Help (P/T)	12.00/hour	15.00/hour
Leaves – Fall Help (P/T)	12.00/hour	15.00/hour
Senior Van Driver	16.00/hour	20.00/hour
Stand-By pay/period		300.00/week

**SECTION V.** Parks & Recreation. That the annual maximum base compensation to be paid to the following officers and employees of the Borough of Woodcliff Lake shall not exceed the following amounts for the year 2017:

**SALARY RANGE**

	<b><u>MIN.</u></b>	<b><u>MAX.</u></b>
Recreation Director	30,000	85,000
Pool Manager	9,000	14,000
Pool Assistant Manager	8,000	12,000
Swim Team Coach	1,000	2,000
Swim Team Stroke Tech	500	750
Co-Director – Summer Day Camp	3,500	5,500
Arts & Crafts Director – Summer Day Camp	1,500	1,800
Life Guard	9.00/hour	12.00/hour
Gate Guard	6.50/hour	10.00/hour
Camp Counselor	6.50/hour	12.00/hour
Tennis Attendant	6.50/hour	12.00/hour

**SECTION VI.** Hourly Rate/miscellaneous compensation. That the rate of time employed for part time or temporary shall be no less than that set by the United States Department of Labor Fair Standards Act.

That the rate of overtime shall be computed at the rate of one and one-half (1-1/2) times the base salary hourly wage of the employee after 40 hours worked.

That all full-time employees may be compensated one day's pay (base pay) for each two (2) unused sick days.

Maximum twelve (12) sick days per year for full-time employees. All full-time employees have an option to accumulate sick days in lieu of this compensation.

Any additional compensation must be approved by the Mayor and Council.

**SECTION VII.** Longevity. All full-time salaried employees hired prior to July 1, 2003 shall receive, in addition to the above base salary, the following:

<b>STEP</b>	<b>LONGEVITY %</b>	<b>AFTER YEARS OF SERVICE</b>
1	2	6
2	4	11
3	6	15
4	8	19
5	10	23
6	12 (CAP)	29

**LONGEVITY IS NOT REFLECTED IN 2017 SALARIES ON APPLICABLE EMPLOYEES**

**SECTION VIII.** Contracts. Any contracts or agreements, which have been duly authorized by the Mayor and Council, the terms and conditions of said agreements will be adhered to.

**SECTION IX.** That this ordinance shall be retroactive to January 1, 2017 upon passage and publication as required by law.

**SECTION X.** Unless expressly stated otherwise or required by law, this ordinance shall not create any rights that did not exist before this ordinance and this ordinance shall not be deemed to create any vacancies unless the law requires otherwise.

**SECTION XI.** 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 XII.** This ordinance shall be construed consistent with its purpose. 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 Borough Code only where stated herein; otherwise this ordinance is amendatory and supplementary to existing provision of the Borough Code.

**SECTION XIII.** This ordinance shall be codified as an amendment to the salary ordinance.



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine						X
Gadaleta	X		X			
Hayes			X			
Herrington		X	X			
Piantino						X
Panso			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

### RESOLUTION NO. 17-111

MAY 15, 2017

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

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

1. BMW 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 May 15, 2017.

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta		X	X			
Hayes			X			
Herrington			X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING THE WAIVER OF READING IN FULL OF THE 2017 BUDGET

### RESOLUTION NO. 17-112

MAY 15, 2017

**WHEREAS**, N.J.S.A. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

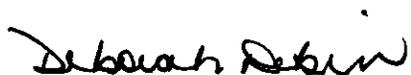
- a. Be posted in a public space where public notices are customarily posted; and
- b. Is made available to each person requesting the same during said week and during the public hearing; and

**WHEREAS**, the Borough of Woodcliff Lake has complied with the aforesaid requirements;

**NOW, THEREFORE, BE IT RESOLVED** that the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2017.

**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 May 15, 2017.



---

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

**SECTION 2 - UPON ADOPTION FOR YEAR 2017**

(Only to be Included in the Budget as Finally Adopted)

**RESOLUTION No. 17-113**

Be it Resolved by the Governing Body of the Borough of Woodcliff Lake, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$9,755,108 (Item 2 below) for municipal purposes, and
- (b) \$ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$198,360 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) (Item 5 below) Minimum Library Tax

<p><b>RECORDED VOTE</b> (insert last name)</p> <p style="text-align: center;">Ayes</p> <p style="text-align: center;">Nays</p> <p style="text-align: center;">Absent</p>	<p>(<u>Carado Belgiovine</u>)</p> <p>(<u>Angela Hayes</u>)</p> <p>(<u>Kristy Harrington</u>)</p> <p>(<u>Paul Fiorentino</u>)</p> <p>(<u>Thomas Panzo</u>)</p>	<p>(<u>Jacqueline Godaloto</u>)</p> <p>Abstained</p> <p></p> <p></p> <p></p> <p>Absent</p>
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**SUMMARY OF REVENUES**

1. General Revenues			
Surplus Anticipated		08-100	\$ 1,050,000
Miscellaneous Revenues Anticipated		13-099	\$ 1,877,992
Receipts from Delinquent Taxes		15-499	\$ 200,000
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$ 9,755,108
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42		07-195	\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		07-192	
Total Revenues		13-299	\$ 12,883,100

**SUMMARY OF APPROPRIATIONS**

5. GENERAL APPROPRIATIONS	XXXXXXXXXX	XXXXXXXXXX
Within "CAPS"	XXXXXXXXXX	XXXXXXXXXX
(a&b) Operations Including Contingent	34-201	\$ 8,627,491
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 870,515
(g) Cash Deficit	46-885	\$
Excluded from "CAPS"	XXXXXXXXXX	XXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 1,557,471
(c) Capital Improvements	44-999	\$ 100,000
(d) Municipal Debt Service	45-999	\$ 987,623
(e) Deferred Charges - Municipal	46-999	\$ -
(f) Judgements	37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$
(g) Cash Deficit	46-885	\$
(k) For Local District School Purposes	29-410	\$
(m) Reserve for Uncollected Taxes	50-899	\$ 740,000
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 12,883,100

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 15th day of May, 2017  
 It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as  
 appeared in the 2017 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 15th of May, 2017,

*Deborah A. Davis*  
 Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta			X			
Hayes			X			
Herrington		X	X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 17-114**

**MAY 5, 2017**

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

Payroll Released 5/15/2017 - \$181,075.95

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

Current Fund:	\$ 1,420,330.76
State Unemployment:	\$ 1,718.54
General Capital:	\$ 16,031.44

**CERTIFICATION OF FUNDS**

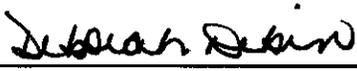
I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

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Harold Laufeld  
Chief Financial Officer

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of May 15, 2017.

---

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta			X			
Hayes			X			
Herrington		X	X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, MUNICIPAL PARK IMPROVEMENT GRANT PROPOSAL ON BEHALF OF THE BOROUGH OF WOODCLIFF LAKE

### RESOLUTION NO. 17-115 MAY 15, 2017

**WHEREAS**, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

**WHEREAS**, the Borough of Woodcliff desires to further the public interest by obtaining a matching grant of approximately \$34,000 from the County Trust Fund to fund the following project: Woodcliff Lake Tennis Courts Resurfacing Project; and

**WHEREAS**, the governing body of the Borough of Woodcliff Lake has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

**WHEREAS**, as part of the application process, the governing body received public comments on the proposed park improvements in the application on May 15, 2017; and

**WHEREAS**, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

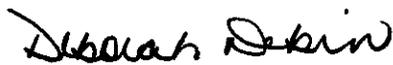
**WHEREAS**, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Woodcliff Lake Mayor and Council:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of **June 30, 2017**, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested, the Borough of Woodcliff Lake Mayor and Council have, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and
3. That the Borough of Woodcliff Lake Mayor and Council are committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement,
5. That the Borough of Woodcliff Lake Mayor and Council agree to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

**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 May 15, 2017.



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

## RESOLUTION - DEDICATION BY RIDER – ESCROW DEPOSITS

MAY 15, 2017

RESOLUTION NO. 17-116

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of certain revenues; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides that a municipality may dedicate certain revenues in any budget when the character of the revenue is not subject to reasonably accurate estimate in advance by including in said budget a statement dedicating such revenues to the purpose or purposes for which they are received; and

**WHEREAS**, the Borough periodically requires developers to provide escrow deposits for development related costs.

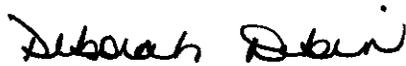
**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Woodcliff Lake, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services for developer escrow deposits received by the Borough are hereby dedicated and shall be made available for expenditures for the purpose stated above as and when funds are received in accordance with N.J.S.A. 40A:4-39.

2. The Borough Clerk of the Borough of Woodcliff Lake is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

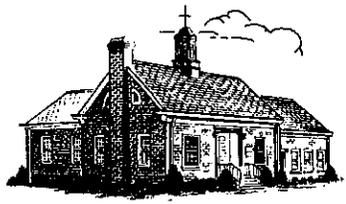
**CERTIFICATION**

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 May 15, 2017.



---

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta			X			
Hayes			X			
Herrington		X	X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION AWARDING THE 2017 -2020 LEAF RECYCLING CONTRACT IN THE BOROUGH OF WOODCLIFF LAKE

MAY 15, 2017  
RESOLUTION NO. 17-117

**WHEREAS**, the Borough of Woodcliff Lake has identified the benefits of recycling the leaves collected within the Borough during the 2017-2020 fall seasons; and

**WHEREAS**, the Borough of Woodcliff Recycling Coordinator has identified the corporation of Organic Recycling, Inc. with offices at 117 A Route 303 Tappan, New York as having the expertise, equipment and experience necessary to perform this service for the Borough pursuant to the terms of the May 11, 2017 quote provided to the Borough; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts that fall below the bidding threshold and/or because of their dealing with recyclables materials to be done without competitive bids.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and Organic Recycling for the disposal of the collected leaves of the Borough of Woodcliff Lake for the 2017-2020 fall season pursuant to the terms of their proposal.

**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 May 15, 2017.



---

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta			X			
Hayes			X			
Herrington		X	X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING A REFUND OF POLICE PRIVATE DUTY ESCROW

**RESOLUTION NO. 17-118  
MAY 15, 2017**

**WHEREAS**, the Borough of Woodcliff Lake requires escrow monies for police private duty; and

**WHEREAS**, Miller Pipeline is no longer using the services of the Woodcliff Lake police; and

**WHEREAS**, Miller Pipeline have requested a refund of overpayment of Escrow money.

**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 \$2000.00 to Miller Pipeline.

Payment mailed to:  
Miller Pipeline  
378 Whitehead Avenue  
South River, NJ 08882

### 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 May 15, 2017.

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine			X			
Gadaleta			X			
Hayes			X			
Herrington		X	X			
Piantino	X		X			
Panso			X			
Mayor Rendo						

## RESOLUTION TO RESCIND DEDICATION BY RIDER, UCC CODE ENFORCEMENT FEE REGULAR (N.J.S.A. 52:27D-192 et seq.)

MAY 15, 2017  
RESOLUTION NO. 17-119

**WHEREAS**, the following funds were established to accept fees from developers, builders and contractors for penalties incurred to be used solely towards costs associated and incurred by the Uniform Construction Code department of Woodcliff Lake Borough; and

**WHEREAS**, there is no longer a need to dedicate these funds.

**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:

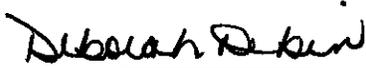
1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to rescind the following Dedicated by Rider Trust funds:

UCC Code Enforcement Fee Regular (NJSA 52:27D-192 et seq).

2. The municipal clerk of the Borough of Woodcliff Lake is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

**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 May 15, 2017.



---

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor  
Tomas J. Padilla, Borough Administrator

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Belgiovine	X		X			
Gadaleta			X			
Hayes			X			
Herrington			X			
Piantino		X	X			
Panso			X			
Mayor Rendo						

**RESOLUTION AUTHORIZING THE BOROUGH ENGINEERS TO UNDERTAKE WORK WITH  
REGARDS TO THE 2017 MUNICIPAL ROAD PROGRAM  
IN THE BOROUGH OF WOODCLIFF LAKE**

**MAY 15, 2017  
RESOLUTION NO. 17-120**

**WHEREAS**, the 2017 Municipal Road Program provides for the maintenance and resurfacing of various roads in the Borough of Woodcliff Lake; and

**WHEREAS**, to facilitate theses projects the Borough Engineer will need to perform the following work at the following costs:

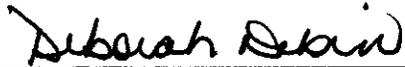
1. On a lump sum basis for a cost of Thirty-Two Thousand Four Hundred Ninety Dollars and Zero Cents (\$32,490.00) representing Professional Services for surveying, engineering design, bidding and contract preparation.
2. On a time and material basis in accordance with our attached schedule of fees for a cost not to exceed Thirty-Nine Thousand Three Hundred Dollars and Zero Cents (\$39,300.00) representing construction management services.
3. On a time and material basis in accordance with our attached schedule of fees for an anticipated cost of One Thousand Four Hundred Dollars and Zero Cents (\$1,400.00) representing reimbursable expenses.

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake that the Mayor is authorized to execute and the Clerk shall attest to any documentation necessary to authorize the Borough Engineer to undertake the above stated work to facilitate the 2017 Municipal Road Program.

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of May 15, 2017.



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