



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
MAY 7, 2018
7:00 PM**

CALL TO ORDER

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

ROLL CALL

Mayor Rendo asked for a roll call. Council members Gross, Hayes, Herrington and Singleton were present. Borough Attorney Ron Dario was present as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Councilwoman Gadaleta arrived at 7:10 PM and Council President Belgiovine arrived at 7:50 PM.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

CLOSED SESSION

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

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

**RESOLUTION NO. 18-117
MAY 7, 2018**

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

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

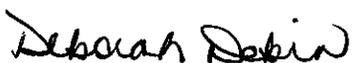
1. COAH Litigation
2. Real Estate Transactions

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 7, 2018.



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

PRESENTATION- HILLS VALLEY COALITION, presented by Gale Mangold and Pam Martorana

APPROVAL OF MINUTES

Motion to approve the April 16, 2018 (Open) was made by Councilwoman Herrington, second by Council President Belgiovine, and approved by Council President Belgiovine, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

Motion to approve the April 16, 2018 (Closed) was made by Council President Belgiovine, second by Councilwoman Herrington, and approved by Council President Belgiovine, Councilwoman

Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

MAYOR'S REPORT

Mayor Rendo stated two Sundays ago he did the Mayor's Wellness Challenge. It is a challenge and he is trying to train to do the 5K run that Councilwoman Herrington has put together which is on June 10, 2018. This is the 32nd Run for Education. Councilwoman Herrington stated that Mayor Rendo has also agreed to take a turn in the dunk tank after he finishes the 5K. We are continuing the Mayor's Challenge and are meeting every Sunday at the Park Ridge track.

Mr. Columbo sent the Mayor an e-mail today concerning Murphy's Charitable Contribution Bill that was signed into law on Friday. A couple of things on that. We still don't have direction as to what to do with that. There is a 60-day period that the Governor said that they are going to implement the regulations. We as a Council have to discuss if we want to implement that or not. Our residents should consult a tax professional on this. The IRS has not ruled on this charitable distribution.

Mayor Rendo stated that he would like to promote Assembly Bill 3314. This Bill permits taxpayers to deduct the total amount of property taxes due and paid in a calendar year on a taxpayers' principal residence from the taxpayer's gross income tax obligation. Under current law a taxpayer may deduct up to \$10,000 of property taxes due and paid in a calendar year on a taxpayer's primary residence from the taxpayer's gross income tax obligation. If the taxpayer is a renter, the taxpayer may deduct up to \$10,000 of that amount of rent constituting property taxes. This Bill that is sitting in the Assembly eliminates these \$10,000 maximum allowable deductions. Thereby permitting the taxpayer to deduct the full amount of property taxes for rent constituting property taxes due and paid by the taxpayer in the calendar year. This Bill allows the residents of the State of New Jersey to deduct 100% of your property taxes. This Bill has not gotten out of the Assembly. If anybody is interested in enacting this Bill and this is a deduction, not a credit, please call the Assembly speaker at 732-855-7441.

Mayor Rendo stated that there have been a couple of resignations from the Planning Board and he is going to appoint the new members. Mayor Rendo stated that he has the authority to appoint individuals to sit on the Planning Board and he would like to appoint Jane Ann Carluccio to fill the unexpired term of Al Dattoli. Cheryl Dispoto to fill the unexpired term of Chad Feinstein. Nilufer DeScherer to fill the Alternate #1 unexpired term and Brian LaRose to fill the Alternate #2 unexpired term.

Mayor Rendo stated that he did speak with a resident and he indicated to him that he will have him in his next appointments if anything opens up.

Mayor Rendo stated that he met with the Broadway Corridor Committee and there were two recommendations concerning the Area in Need of Redevelopment. The recommendation of the Broadway Committee was to designate the three Affordable Housing lots and send it over to the

Planning Board for designation to see if it qualifies for an area in need of redevelopment. The other issue with that was to temporarily table the South Broadway development. As we are pressed for time to implement our Affordable Housing requirements north of Broadway. Mayor Rendo and Councilman Singleton did relay the recommendations of the Broadway Corridor Committee to the Council. The Council believes that the barn property should be included in the recommendation of the Area in Need of Redevelopment. The reason for that is that it would create more parking and require that any developer in the Area in Need of Redevelopment could provide the necessary parking. That will be included in the referral to the Planning Board. The Planning Board makes a recommendation and it comes back to the Mayor and Council and they have final decision on the Area of Redevelopment. There is a Resolution on the Agenda to go out for RFQs to hire an attorney to represent the Borough on the Area of Redevelopment.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that there has been some concern about this Saturday with the festival. We need to block off certain spots at the train station parking lot because we are having a stage brought in to use at the festival for the entertainment and to make presentations. That stage is being provided by the County of Bergen. They will deliver it on Friday and they are supposed to pick it up on Monday. Thanks to some kind folks at the County the Administrator was able to work it out that they will be picking it up on Sunday so those parking spots will be available on Monday. Mr. Padilla thanked County Executive Tedesco for assisting us on that. They were very accommodating. In addition, there will be a lot of traffic that day. You cannot park on County streets. We have no jurisdiction over that. You can park on any of our local streets. There are some that we are going to allow only parking on one side of the street so that emergency vehicles and traffic could keep flowing. Among those: Highview, Edward, Mill Road, Lakeview Terrace, Franklin, Orchard and Campbell. In addition, we were able to make arrangements with some private lots in and around the area including: 126 Broadway, 150 Broadway, 62 Broadway (front only), 172 Broadway and 281 Broadway. On this side of the causeway, Borough Hall lot which is 188 Pascack Road, 171 Pascack Road, 134 Woodcliff Avenue (school, in the front) and 155 Werimus Road (by Old Mill). We will have our shuttle going from Old Mill, stopping at the school, Apostolic Church and then dropping off at Orchard and Woodcliff. You will have to walk the last block to the causeway. The streets will be closed on Pascack and Woodcliff Avenue. There will be plenty of signage all around. Please do not block driveways, fire hydrants and intersections. Police will enforce these violations.

Regarding the Resolutions on the Agenda tonight, we are asking you to approve going out for RFQs for COAH and Area in Need of Redevelopment attorneys. Also, going out for bids for the 77 Brookview project and the 2018 Road Paving project.

Resolution No. 18-125 is our Solid Waste Service Agreement to continue with the Bergen County Utility Authority. It is the same location where we would need to take our solid waste. It is in Totowa. We had discussed other options being that there is a transfer station in a nearby town. We need to be in this Cooperative by the end of the month in order to have a place to go. On a good note, the price did drop per ton.

Mayor Rendo stated that he has been in communications with Lorie Alhadeff in Parkland, Florida and we have managed to secure a sponsor to have the entire Alhadeff family come up for the festival. The plan is for the entire Mayor and Council to present a Certificate to the Alhadeff family that day. We will be releasing 17 doves recognizing each student that died that day. It will be a special moment and the Mayor encourages the entire community to join the Alhadeff family. Mayor Rendo also thanked our sponsor John Molinelli and his firm Price, Meese, Shulman & D'Arminio for paying for the airfare for the Alhadeff family so they could be here for the festival.

COUNCIL MEMBERS COMMENTS/REPORTS

Council President Belgiovine stated that one of the Resolutions on the Agenda tonight is for Introduction of the Budget. We will go over it in greater detail at our Budget Meeting on June 4, 2018. Our municipal levy will be \$58.00 per household increase. This is a nominal increase. Council President Belgiovine felt that it is a pretty solid budget with as much cutting as we can from this budget. Council President Belgiovine worked with Councilman Singleton, Administrator Padilla and our CFO, Harold Laufeld and did a good job on it. Mayor Rendo thanked all those that worked on the budget. Administrator Padilla stated that our Auditor will be here on June 4, 2018 for a presentation and adoption of the budget.

Councilwoman Gross stated that we received the reports regarding Clean-up Day. There were 114 participants and we collected 1,400 pounds of trash. We are still accepting Lifeguard and CIT applications. The pool is currently being filled after some repairs. The Spring Festival is this Saturday from 10:00 AM to 5:00 PM. Councilwoman Gross stated that she and Councilwoman Herrington attended a dance that the middle school Student Council put on for our senior citizens. Councilwoman Herrington stated that they did a wonderful job. Thank you to Marilyn Clark and her group for participating in it.

Council President Belgiovine stated that they now have all of the lights working up at the ballfields. There were some issues with the underground wiring. The problem was located and now all the lights are working. We had a wedding for one of our DPW employees that we attending. Congratulations to Chris and Lisa Behrens. It was a great event.

Councilwoman Gadaleta stated that we have a Resolution on the Consent Agenda to hire a new employee for DPW. Councilwoman Gadaleta thinks it's a great idea to bring someone on board since we are down 2 people and she welcomes him.

Councilwoman Gadaleta stated that there has been some strong concern about a certain situation on the Planning Board in regarding different things. She wanted to take this opportunity to make a motion.

MOTION to have our Borough Attorney prepare a request for an advisory opinion from the Division of Local Government Services regarding the potential conflict of interest involving our Planning Board Attorney and have the Council reserve the right to review the request before it is

sent in and all letters from residents who have expressed strong concern be attached to the request was made by Councilwoman Gadaleta, second by Councilman Singleton and approved by Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington, Councilman Singleton and Council President Belgiovine.

Councilwoman Gadaleta asked Mr. Dario to explain what the advisory opinion from the Division of Local Government Services could or would do. Mr. Dario replied that it is an advisory opinion. We would lay out the facts for them and they could give us their opinion on whether they think it is a conflict or not. Mr. Dario's initial thoughts are if we include letters from the public do we also want to give Mr. Leibman an opportunity to respond as well. Councilwoman Gadaleta asked what the normal protocol was. Mr. Dario stated that we could do it any way the Council wants. Councilwoman Gadaleta stated that she thinks we should just start with that.

Councilwoman Hayes stated that she had a quick update on Library. The Woodcliff Lake website has been updated with some library information. She knows that some residents had some questions. You could take a look yourself – it is under town information and then under library. What is noteworthy and a lot of residents are asking about, when we join Hillsdale and Montvale we don't enter in the book sharing system. The good news is that if you join Pearl River for \$375, you get a reimbursement of \$175 so for \$200 you can tap into the New York system. If you are a member of the Pearl River library and you need a book, they will call around New York libraries.

ORDINANCES

Introduction Ordinance 18-05
Ordinance to Exceed the Municipal Budget Appropriation Limits and to
Establish a Cap Bank
(N.J.S.A. 40A:4-4/45.14)

MOTION to introduce Ordinance 18-05 was made by Council President Belgiovine, second by Councilman Singleton.

Introduction Ordinance 18-06
An Ordinance to Amend Chapter 246: Peace and Good Order so as to Add
Article III to Govern the Prohibition of Urinating in Public

MOTION to introduce Ordinance 18-06 was made by Councilwoman Gadaleta, second by Council President Belgiovine.

Introduction Ordinance 18-07
An Ordinance to Amend Chapter 380-58 and 380-66 of the Borough Code
to Amend the Uses Within the Executive and Administrative Office District
(EAO) and the Executive and Administrative Office District II (EAOII) of the
Borough of Woodcliff Lake

MOTION to introduce Ordinance 18-07 was made by Councilwoman Hayes, second by Council President Belgiovine.

Introduction Ordinance 18-08
An Ordinance Revising the Affordable Housing Development Fees within
the Borough of Woodcliff Lake

MOTION to introduce Ordinance 18-08 was made by Councilwoman Gross, second by Council President Belgiovine.

NEW BUSINESS

PUBLIC COMMENT

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

Veronica Appel, Woodcliff Lake, asked if the Borough plans to put the news about the library in the local paper such as the Pascack Press. Councilwoman Hayes stated that she will speak to the Borough Administrator about more ways to spread the word. Council President Belgiovine suggested that it be put in the next newsletter. Ms. Appel asked that the Council consider using the gas station site on Broadway as a park or walking trail. Ms. Appel asked if retail is proposed north of Highview. Mayor Rendo replied that retail is not proposed north of Highview. Ms. Appel asked what the timeline is for the Area in Need of Redevelopment. Council President Belgiovine replied that after the Mayor and Council designates the lots and blocks for the Planning Board to review, the Planning Board will engage the Planner to go through the study. The Planning Board will then submit the study back to the Mayor and Council and then the Mayor and Council will then sit with the Redevelopment Attorney and Planner to come up with a redevelopment plan. Ms. Appel asked when the public would have a chance to comment. Council President Belgiovine replied that it would be after the Mayor and Council has the plan back of it being an Area in Need we will start the planning of it.

Craig Marson, Woodcliff Lake, had concerns regarding 188 Broadway and thanked Councilwoman Gadaleta for bringing something up. Mr. Marson stated that it is a clear case of ethical violations, although he is not privy to private information, but he has done some significant research, financially, legally and has made contact with the Bergen County Prosecutor's office. He received application for the Office of Attorney Ethics and has certainly done his research in the New Jersey Department of Community Affairs. The first issue is that it doesn't look like any recommendation that comes down from the Department of Community Affairs comes with any legal teeth. It is a recommendation that may be taken, it doesn't necessarily result in anything and it probably permits the ongoing in the construction application, variances, etc. to continue going forward during this period. This could easily be pushed out any number of months. The information that he has spent hours and hours of gathering is being pushed to the side. Mr. Marson stated that he is interested in the following: you need to have the attorney resign. You need have his

attorney's partner law firm banned from Woodcliff Lake from ever doing any work legally or otherwise. He believes there is inside dealings and potential ethical violations affect not only the people of Woodcliff Lake but the potential investors. The profit that may or may not come from any kind of zoning that is agreed upon by everybody, that type of topic can possibly be distributed to participants that are unrelated. This transaction is so integrated between current attorneys, past Borough Attorney's partner is the Planning Board attorney so it is clear that there is a conflict. This is a problem that is not going to be resolved with some type of resolution on application seeking guidance on whether or not there is any kind of violation of ethics. What you need to do is act in front of any kind of change that may be offered or requested or applied for regarding the building. That is the key. You stop them in their tracks. You now have 2 attorneys that are law partners that now have to answer to their own partners. Mr. Marson stated that if you refuse to act and act in the way he considers a more forceful manner, as a citizen and a concerned one, he is now confronted with either continuing his discussion with the Prosecutor's office or making applications to the Office of Attorney Ethics and he doesn't want to do that.

Mayor Rendo asked if anyone wants to discuss that. Mayor Rendo stated that as a Public Body we do not have the authority, Mayor and Council, to hire and fire a professional of the Zoning Board or Planning Board. These individuals were hired by each independent body. We can only make a recommendation and they could follow it or not follow it. We as a Mayor and Council cannot terminate or even hire someone for those independent bodies. Mr. Dario stated that Mayor Rendo is correct. Mayor Rendo's suggestion is to address it at the next Planning Board meeting on Monday and he is sure that the Planning Board will address those issues. In the meantime, we are going to go ahead with Ms. Gadaleta's motion. Mayor Rendo asked Mr. Marson to comprise a memorandum of all your facts to Mr. Dario and Mr. Dario will submit it.

John Glaser, Woodcliff Lake, stated that he was happy to hear Councilwoman Gadaleta's motion. Mr. Glaser stated that time if of the essence and hopefully this will be done quickly. It is significant that a lot of attention be given to this matter. If there is something that should be changing, we shouldn't wait. Mr. Dario stated that whatever the proposal might be by this company, he is sure that they will need some type of variance. Hypothetically, they go to the Zoning Board for a variance and if that variance was to be denied, he would imagine that there will be a lawsuit. A lawsuit could drag on for quite a while. Mr. Dario stated that he does not see this issue resolving quickly. Mr. Dario stated that he will have something ready for the next meeting since the Council wants to review it first. Councilwoman Herrington asked if that is something that could be drafted and then emailed to Council members for them to see.

Councilwoman Hayes asked Mr. Dario what it looks like in the interim, we will have an RFQ out for Redevelopment Attorney and Fair Share Housing Attorney and what is the interim between these few months or potential couple of months. Is Mr. Leibman solely acting as a Planning Board attorney and in no other capacity for Woodcliff Lake? Mr. Dario replied that he is currently still our COAH attorney. Councilwoman Gadaleta asked if he recused himself of anything going forward. Mr. Dario replied that he believes he recused himself in anything with connection of that particular site. We have Sal Princiotta as Conflict Attorney with that particular piece of property. COAH is a much broader scope and involves the whole town. Mayor Rendo stated that

he believes he recused himself from anything on Broadway. Councilwoman Hayes asked if he formally recused himself of what. Mayor Rendo stated that he recused himself from hearing any matters on Broadway. Councilwoman Gadaleta asked if there is a written document on this. Mayor Rendo stated that it is in the Planning Board minutes. Mayor Rendo stated that he is still the Planning Board attorney for any other issues in town other than Broadway.

Don Columbo, Woodcliff Lake, thanked the Mayor for his comments earlier and encourages the Mayor and Council to look at the Bill once it comes out. Mr. Columbo stated that he noticed a large check going back to Mack Cali and also noticed that we were changing our appraisal company and would like to know if the two are related. Councilwoman Herrington stated that we are not changing the appraisal company. Mr. Padilla stated that the company name changed because the old company was owned by his father and the new company is owned by him. It is the same personnel. The contract is for the rolling re-assessment.

Cheryl Dispoto, Woodcliff Lake, asked if the Council was voting on a new Fair Share Housing (COAH) Attorney. Mr. Dario stated that we are voting on the ability to go out for an RFQ for a new Fair Share Housing (COAH) Attorney. Ms. Dispoto asked if the Planning Board has the option of terminating his services from the Borough. Mayor Rendo replied yes as Planning Board attorney.

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

NON-CONSENT AGENDA

Resolution No. 18-118 A Resolution Authorizing and Directing the Planning Board to Examine Whether Certain Land Designated as Lots 1, 2, and 9 in Block 2602 of the Tax Map of the Borough of Woodcliff Lake Should Be a Non-Condemnation Area in Need of Redevelopment Pursuant to N.J.S.A. 40A:12A-5

MOTION to approved Resolution No. 18-118 as amended to include LOT 14 in BLOCK 2501 was made by Council President Belgiovine, second by Councilwoman Gadaleta and approved by Council President Belgiovine, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

CONSENT AGENDA

MOTION to approve the Consent Agenda was made by Councilwoman Gadaleta, second by Councilwoman Hayes and approved by Council President Belgiovine, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilwoman Herrington and Councilman Singleton.

ADJOURNMENT

MOTION to adjourn was made by Council President Belgiovine, second by Councilwoman Gadaleta and unanimously approved by voice call vote. Meeting was adjourned at 10:15 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Deborah Dakin". The signature is written in a cursive style with a large initial "D".

Deborah Dakin, RMC, CMR
Borough Clerk

ORDINANCE 18-05

**BOROUGH OF WOODCLIFF LAKE
CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

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 2018 budgets is calculated at 2.5% pursuant to N.J.S.A. 40A:4-45.2 and amounts to \$237,450; 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 2018 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 1.0% increase in the budget for said year, amounting to \$94,980 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 2018 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 \$332,430, and that the 2018 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.

Introduced by Council President Corrado Belgiovine
Seconded by Councilman Brian Singleton
May 7, 2018

ATTEST:
Deborah A. Dakin, RMC, CMR
Borough Clerk

ORDINANCE NO 18-06

AN ORDINANCE TO AMEND CHAPTER 246: PEACE AND GOOD ORDER SO AS TO ADD ARTICLE III TO GOVERN THE PROHIBITION OF URINATING IN PUBLIC

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, to ensure peace and good order, it is the desire of the Mayor and Council of the Borough of Woodcliff Lake that an Ordinance be established to set for the Laws and Regulations to govern the prohibition of urinating in public.

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 246 of the Borough Code is amended to add Article III beginning at subsection §246-30 to govern the prohibition of urinating in public.

Section 2. That Article III, beginning at §246-30 and continuing in sequence shall read as:

ARTICLE III – PUBLIC URINATION

§246-30 Urinating in Public.

It is unlawful to urinate or defecate in any public area, public place or within view of the public except in public rest rooms provided for that purpose.

§246-31 Violations and Penalties.

Any person adjudged guilty of a violation of the provisions of this article shall, upon conviction thereof in the Municipal Court, be punished by fine not less than \$250.00 and not exceeding \$1,000, imprisonment for a term not exceeding 90 days and/or a period of community services for not more than 90 days, at the discretion of the Court.

§246-32 Exemptions.

The enforcement provisions of this ordinance shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

(a) Children ten years of age or younger;

(b) Persons of any age who violate this ordinance due to a verified medical, and/or psychiatric condition.

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.

ORDINANCE NO. 18-07

AN ORDINANCE TO AMEND CHAPTER §380-58 AND §380-66 OF THE BOROUGH CODE TO AMEND THE USES WITHIN THE EXECUTIVE AND ADMINISTRATIVE OFFICE DISTRICT (EAO) AND THE EXECUTIVE AND ADMINISTRATIVE OFFICE DISTRICT II (EAOII) OF THE BOROUGH OF WOODCLIFF LAKE

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 Mayor and Council of the Borough of Woodcliff Lake wish to make changes to the uses of the Executive and Administrative Office District (EAO) and the Executive and Administrative Office District II (EAOII) in order to make such districts available for use in a manner that is consistent with the districts' intended purpose; and

WHEREAS , the Mayor and Council of the Borough of Woodcliff Lake wish to amend Chapter §380-58 and §380-66 of the Borough Code to permit uses in the Executive and Administrative Office District (EAO) and the Executive and Administrative Office District II (EAOII) for office/administrative uses, health care/wellness facilities, hotels and other accessory uses which are customary and incidental to any principal permitted use.

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 §380-58 entitled "Permitted Uses" of the Borough of Woodcliff Lake shall be amended to add additional uses and accessory uses and shall now read as follows:

§ 350-58 Permitted uses.

Within the Executive and Administrative Office District (EAO) no lot, tract or parcel of land shall be used and no building structure shall be constructed, already, erected or placed to be used for any purpose other than the following principal and accessory uses:

- A. Business, executive, professional, administrative, or governmental offices.
- B. Medical office and offices for medical practitioners, including but not limited to physicians, mental health specialists, dentists, chiropractors, optometrists, podiatrists, physical, occupational and speech therapists, but excluding drug/mental health rehabilitation facilities, hospitals, clinics, nursing homes or residential health care facilities.
- C. Hotels.
- D. The following accessory uses shall be permitted: training facilities for office tenants, restaurants, coffee shops and retail uses that primarily serve the

tenants of the building and their guests, such as copy shops, parcel services, office supplies, flower shops, dry cleaners, child care centers and accessory uses which are customary and incidental to any principal permitted use.

Section 2. It is the intent of this ordinance to effect the permitted uses in the Executive and Administrative Office District II (EAOII) pursuant to the terms of §380-66.

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.

ORDINANCE NO. 18-08

**AN ORDINANCE REVISING THE AFFORDABLE HOUSING DEVELOPMENT FEES
WITHIN THE BOROUGH OF WOODCLIFF LAKE**

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 Mayor and Council of the Borough of Woodcliff, with the advice of the Borough Planner, has recognized a need to update its Affordable Housing Development Fees Ordinance codified in Chapter 380 Article X to remove references to partially destroyed structures.

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

Section 1: That chapter § 380-69 is amended to entirely strike the definition of "PARTIAL DESTRUCTION"

Section 2: That the chapter § 380-70 (2) (d) is amended to strike references to partially destroyed structures and shall now read as:

§ 380-70 (2)

- d. Development fees shall be imposed and collected when an existing structure is demolished, torn down or destroyed and replaced by a new or rebuilt structure. The development fee hereunder shall be calculated on the increase in the equalized assessed value of the new or rebuilt structure.

Section 3: The terms of this ordinance shall not be deemed and are not intended to impair the provisions and enforcement of any other chapter of this Code, which shall remain in full force and effect.

Section 4: The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any part.

Section 5. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 6: This ordinance shall take effect upon passage and publication according to law.



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING HOLDING OF CLOSED SESSION

RESOLUTION NO. 18-117 MAY 7, 2018

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

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

1. COAH Litigation
2. Real Estate Transactions

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 7, 2018.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD
TO EXAMINE WHETHER CERTAIN LAND DESIGNATED AS
LOTS 1, 2, and 9 IN BLOCK 2602 and LOT 14 IN BLOCK 2501 OF THE TAX MAP OF THE
BOROUGH OF WOODCLIFF LAKE SHOULD BE A NON-CONDEMNATION AREA IN NEED OF
REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5**

**RESOLUTION NO. 18-118
MAY 7, 2018**

WHEREAS, the Borough of Woodcliff Lake (the "Borough") has identified the property located in the proximity of Broadway and Highview and designated as LOTS 1, 2, and 9 in BLOCK 2602 and LOT 14 in BLOCK 2501 on the Tax Map of the Borough of Woodcliff Lake to be considered for designation as an "area in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 49A:12A-2, etseq.; and

WHEREAS, pursuant to the required redevelopment procedures specifically set forth in N.J.S.A. 49A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to P.L. 2013, Chapter 159, "[t]he resolution authorizing the Planning

Board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condensation Redevelopment Area"); and

WHEREAS, the Borough finds it to be in the best interest of the Borough and its residents to authorize the Borough's Planning Board to undertake such preliminary investigation as to whether LOTS 1, 2, and 9 in BLOCK 2602 and LOT 14 in BLOCK 2501 qualify as a Non-Condensation Redevelopment Area pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, the Borough hereby states that any redevelopment area determination shall authorize the municipality to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, known as a Non-Condensation Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that the Borough Planning Board is hereby directed and authorized to examine whether the land located on which the various lots front are Broadway and Highview and designated as LOTS 1, 2, and 9 in BLOCK 2602 and LOT 14 in BLOCK 2501 on the Tax Map of the Borough of Woodcliff Lake is an area in need of Non-Condensation Redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

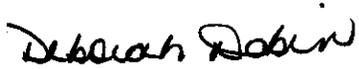
BE IT FURTHER RESOLVED that the Planning Board shall submit its findings and recommendations to the Borough Council in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Planning Board of the Borough of Woodcliff Lake.

BE IT FURTHER RESOLVED 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 Mayor and Council at the meeting of May 7, 2018.



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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**RESOLUTION NO. 18-119
MAY 7, 2018**

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

Payroll Released 4/30/2018 \$171,478.60

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: | \$ 2,315,354.16 |
| General Capital: | \$ 1,000.00 |
| Escrow: | \$ 910.01 |

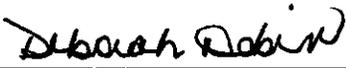
CERTIFICATION OF FUNDS

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

Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of May 7, 2018.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

INTRODUCTION OF 2018 BUDGET

RESOLUTION NO. 18-120

MAY 7, 2018

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Woodcliff Lake, Bergen County, New Jersey for the year 2018.

BE IT FURTHER RESOLVED, that the said budget be published in the Bergen Record in the issue on May 11, 2018 and that a hearing on the Budget will be held at the Municipal Building on June 4, 2018 at 8:00 PM or as soon thereafter as the matter may be reached.

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 7, 2018.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

**RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT
JUDGEMENT DOCKET # 006239-2016 & #004171-2017**

**RESOLUTION NO. 18-121
MAY 7, 2018**

WHEREAS, the owners of Block 301 Lot 3.03, 300 Tice Realty Assoc. c/o Mack Cali, 300 Tice Boulevard, Woodcliff Lake, New Jersey was successful in their appeal to the County Tax Board New Jersey and have won a Judgement adjusting their assessed value for the years 2016 and 2017; and

WHEREAS, this has resulted in their overpaying their property tax for years of 2016 and 2017 in the amount of \$206,316.81; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$206,316.81 to the owner of record, MACK-CALI c/o ZIPP TANNENBAUM & CACCAVELLI TRUST ACCT.

Mail check to:
ZIPP TANNENBAUM & CACCAVELLI, TRUST ACCT.
280 RARITAN CENTER PARKWAY
EDISON NEW JERSEY 08837

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 7, 2018.



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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Clerk

201-391-4977
Fax 201-391-8830

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

**A RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT
FOR THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 18-122
MAY 7, 2018**

WHEREAS, it is upon the advice and recommendation of the Borough Special Tax Counsel and Tax Assessor to seek formal approval of the Stipulation of Settlement for the properties with matters pending before the Tax Court of New Jersey; to wit

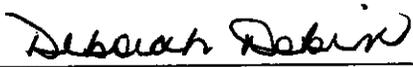
- Block 301.01, Lot 3.02, on the Borough Tax Map, with an address of 485 Chestnut Ridge Road, Tenant-Taxpayer for the tax year 2015, 2016, 2017 and 2018 tax years. Docket Nos. 008251-2015, 001420-2016, 00185-2017 and 004409-2018. The approximate tax refund in this matter is \$11,466.51.
- The appeal involves the 2015, 2016, 2017 and 2018 tax years, with no freeze act application.

WHEREAS, it is in the best interest of the Borough to approve the proposed Stipulation of Settlement, based upon the cost and uncertainty of litigation, as well as other equitable issues.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Woodcliff Lake Special Tax Appeal Counsel be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment for the above stated Stipulations of Settlement.

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 7, 2018.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION APPOINTING CURTIS CULVERT WITH THE WOODCLIFF LAKE DEPARTMENT OF PUBLIC WORKS

RESOLUTION NO. 18-123

MAY 7, 2018

WHEREAS, Borough of Woodcliff Lake has recognized the need to hire a Laborer/Driver with the Borough of Woodcliff Lake Department of Public Works; and

WHEREAS, the Borough of Woodcliff Lake has determined that Curtis Culvert possesses the necessary skills and experience to hold the position; and

WHEREAS, Mr. Culvert's employment is subject to the salary step guide. Accordingly, Mr. Culvert begins employment at the "Step 1" level and is subject to be reviewed in three (3) months and then again at six (6) months. Further, medical benefits do not start until completing ninety (90) days of employment.

NOW THEREFORE, BE IT RESOLVED, that Curtis Culvert is appointed as Laborer/Driver with the Borough of Woodcliff Lake Department of Public Works in accordance with the terms and schedules contained within the salary step guide, the policies of the Borough of Woodcliff Lake and the laws of the State of New Jersey.

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 7, 2018.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR ASSISTANCE WITH THE ANNUAL RE-ASSESSMENT OF ALL REAL PROPERTY FOR TAX EQUALIZATION PURPOSES WITH ASSOCIATED APPRAISAL GROUP

**RESOLUTION NO. 18-124
MAY 7, 2018**

WHEREAS, the Borough of Woodcliff Lake has recognized the benefit of and is engaged in a program to annually re-assess all the lands, buildings and improvements contained within the boundaries of the Borough; and

WHEREAS, to facilitate same and to render necessary advice/assistance in the said project, the Borough has identified **ASSOCIATED APPRAISAL GROUP**, an appraisal firm with its office located at 6 Commerce Drive, Suite 303, Cranford, NJ 07016 ("Firm") as having the experience and knowledge to assist the Borough Tax Assessor to complete the annual re-assessments as prescribed by law (N.J.S.A. 54:1-35.35); and

WHEREAS, pursuant to the terms of the agreement between the parties, the Borough agrees to pay an annual sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000.00) per year for five (5) years to the Firm.

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

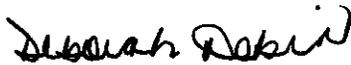
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough

of Woodcliff Lake that Mayor is authorized and the Borough Clerk shall attest to the professional service contract with ASSOCIATED APPRAISAL GROUP pursuant to the terms of this resolution and the agreement between the parties; and

BE IT FURTHER RESOLVED that the agreement between the parties shall be on record with the Borough Clerk and made available for public inspection.

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 7, 2018.



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

CERTIFICATION OF FUNDS

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

**Harold Laufeld
Chief Financial Officer**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

**RESOLUTION AUTHORIZING A TWO (2) YEAR SOLID WASTE SERVICE AGREEMENT
WITH THE BERGEN COUNTY UTILITIES AUTHORITY
IN THE BOROUGH OF WOODCLIFF LAKE, BERGEN COUNTY, NEW JERSEY**

**RESOLUTION NO. 18-125
MAY 7, 2018**

WHEREAS, as the current solid waste contract with the Bergen County Utilities Authority (hereinafter referred to as "BCUA") is due to expire on May 31, 2018, the Borough of Woodcliff Lake wishes to enter into a contract amendment to extend the current Solid Waste disposal Service Agreement for two (2) additional years with the BCUA; and

WHEREAS, based upon the correspondence and agreement received from the BCUA dated April 27, 2018, the Mayor and Council of the Borough of Woodcliff Lake believe it is in the best interest of the citizens of the Borough to enter in such two (2) year agreement; and

WHEREAS, the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq., authorizes and permits contracting units, such as the BCUA and the Borough of Woodcliff Lake, to enter into a Solid Waste Service Agreement as contemplated for herein; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-5(2), authorizes and permits contracting units, such as the BCUA and the Borough of Woodcliff Lake, to enter into a Solid Waste Service Agreement as contemplated for herein without competitive bidding for same; and

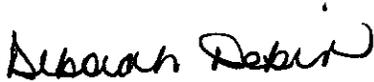
WHEREAS, the Borough of Woodcliff Lake is desirous of entering into a Solid Waste Service Agreement with the BCUA, pursuant to which the Borough of Woodcliff Lake shall deliver municipally-generated solid waste to the above referenced Transfer Station Facility for processing, transportation and disposal, and the BCUA shall provide such solid waste processing, transportation and disposal services to the Borough of Woodcliff Lake pursuant to the terms of the agreement between the parties for a term commencing on June 1, 2018 through May 31, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, that the Mayor and Borough Clerk are hereby authorized to execute the Solid Waste Service Agreement between the Borough of Woodcliff Lake and the Bergen County Utilities Authority for solid waste services; and

BE IT FURTHER RESOLVED, that a copy of the agreement be available for public inspection with the Clerk of the Borough of Woodcliff Lake.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of May 7, 2018.



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

CERTIFICATION OF FUNDS

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



**Harold Laufeld
Chief Financial Officer**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 18-126
MAY 7, 2018

WHEREAS, the selection of Qualified Respondents is not subject to the bidding provisions of the Local Public Contracts Law, N.J.S.A 4A:11-1 et seq. The selection is, however, subject to the "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq. The Borough has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Qualification Statement in response to the RFQ. Qualification Statement will be evaluated in accordance with the criteria in compliance with the laws of the State of New Jersey; and

WHEREAS, it has become necessary for the Borough of Woodcliff Lake ("the Borough") to engage professional services that include but are not limited to:

- 1. SPECIAL LEGAL COUNSEL FOR AFFORDABLE HOUSING (COAH) MATTERS AND REDEVELOPMENT MATTERS**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that RFQs for professional services that include but are not limited those stated above for the Borough are hereby authorized; and

BE IT FURTHER RESOLVED that all of the RFQs for the professional services as set forth

herein above shall be prepared and published in compliance with state law and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, including, but not limited to:

- Experience and reputation of the firm.
- Qualifications of the individuals who will perform the required services, and their respective participation.
- Experience of the individuals as it relates to the particular expertise required to perform the contract.
- Ability of the firm to perform the services on a timely basis, including staffing and familiarity with the subject matter and the ability to attend meetings.
- Experience with or specific knowledge of the Borough as it pertains to the respective contract.
- Cost consideration, including, but not limited to fee schedule to be charged, fees paid by public entities of similar size and make-up, for comparable level of services, and if applicable, cost that would be incurred by the Borough to contract with a new firm (i.e. estimated cost for current firm to review and close out all files, and new firm to review and get up to speed on all open files).
- Any other factors demonstrated to be in the best interest of the Borough or Borough agency.

BE IT FURTHER RESOLVED, that the Borough Clerk is directed to publish notice of the RFQs for the services as enumerated above, in the Borough official paper of record. The notice of RFQs shall include the following:

- (1) A description of the requested professional service for which the RFQ is made;
- (2) A statement that Qualifications must be submitted by 9:00 a.m. on May 29, 2018;
- (3) A statement that the RFQs are being made by the Borough;
- (4) The address and phone number of the Borough Clerk's office and a statement that applicants may obtain the RFQ document from the Clerk's office if they cannot obtain the RFQ documents from the Borough's website;
- (5) A statement that the RFQ is being in compliance with N.J.S.A. 19:44A-20.4 et seq.

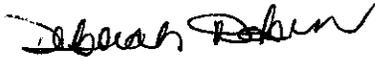
BE IT FURTHER RESOLVED, that the Borough Attorney is authorized to effectuate the drafting of the RFQs, which shall include the evaluation criteria hereinabove stated.

BE IT FURTHER RESOLVED, that the Borough Clerk or her designee shall publicly open and read aloud the submissions responding to the RFQs, including the name of the applicant and any other pertinent information on May 30, 2018 at 9:00 a.m. in the Borough Hall.

BE IT FURTHER RESOLVED, after the public opening of received RFQ's. a committee comprised of Council President Belgiovine, Councilwoman Gross and Councilwoman Hayes shall review such qualifications and make recommendations to the Mayor and Council for appointment with the Borough.

CERTIFICATION

I, Debbie Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of May 7, 2018.



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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

EMERGENCY TEMPORARY BUDGET APPROPRIATION

RESOLUTION NO. 18-127 MAY 7, 2018

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2018 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, said total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$1,635,000.00.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. The following temporary appropriations be and the same are hereby made for:

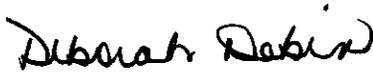
| | |
|-----------------------------------------------|--------------|
| Administration – Salaries and Wages | \$ 10,000.00 |
| Administration – Other Expenses | 10,000.00 |
| Municipal Clerk – Salaries and Wages | 5,000.00 |
| Financial Administration – Salaries and Wages | 15,000.00 |
| Construction Code – Salaries and Wages | 10,000.00 |

| | |
|-----------------------------------------------|---------------|
| Group Health Insurance Plans for Employees | 120,000.00 |
| Police – Salaries and Wages | 150,000.00 |
| Police – Other Expenses | 20,000.00 |
| Dispatch – Other Expenses | 60,000.00 |
| Solid Waste – Salaries and Wages | 15,000.00 |
| Buildings and Grounds – Salaries and Wages | 15,000.00 |
| Buildings and Grounds – Other Expenses | 30,000.00 |
| Maintenance of Parks – Other Expenses | 25,000.00 |
| Celebration of Public Events – Other Expenses | 10,000.00 |
| Social Security | 5,000.00 |
| Total | \$ 500,000.00 |

2. That said emergency temporary appropriations will be provided for in the 2018 budget under the various titles listed above.
3. That one certified copy of this resolution be filed with the Director 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 7, 2018.



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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING SOLICITORS LICENSE TO REPRESENTATIVES FOR POWER HOME REMODELING

RESOLUTION NO. 18-128 MAY 7, 2018

WHEREAS, Erwing Dumornay, Christopher Grullon, Erik Glover, and Joshua Peltz of Power Home Remodeling have applied to the Borough Clerk's Office for a solicitor's license to provide information to residents and giving free estimates on more energy efficient windows, siding and roofing; and

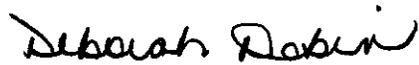
WHEREAS, the Police Department has stated that there is no reason to deny this application; and

WHEREAS, the applicants have been advised of the rules and guidelines established in the Borough of Woodcliff Lake and strict adherence to this policy must be followed.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitors license to Erwing Dumornay, Christopher Grullon, Erik Glover and Joshua Peltz.

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 7, 2018.



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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
 Tomas J. Padilla, Borough Administrator

201-391-4977
 Fax 201-391-8830

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

**RESOLUTION AUTHORIZING THE BOROUGH TO SOLICIT BIDS FOR THE BANK STABILIZATION AND
 OUTFALL RECONSTRUCTION AT 77 BROOKVIEW DRIVE
 IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 18-129
 MAY 7, 2018**

WHEREAS, it is necessary for the Borough to undertake a bank stabilization project inclusive of a new stormwater outfall, gabion basket stabilization wall, riprap and live vegetated plantings along with construction of a temporary construction access road, drainage improvements and landscape restoration improvements at the area in and around 77 Brookview Drive.

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that projects exceeding the bid threshold are subject to the public bidding process.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that that the Borough Administrator is hereby authorized to move forward with the soliciting of public bids as it relates to the "BANK STABILIZATION AND OUTFALL RECONSTRUCTION 77 BROOKVIEW DRIVE" Project.

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 7, 2018.

Deborah Dakin

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



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

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

RESOLUTION AUTHORIZING THE BOROUGH TO SOLICIT BIDS FOR THE "2018 BOROUGH OF WOODCLIFF LAKE MUNICIPAL ROAD PROGRAM" IN THE BOROUGH OF WOODCLIFF LAKE

**RESOLUTION NO. 18-130
MAY 7, 2018**

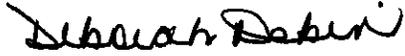
WHEREAS, the "2018 Borough of Woodcliff Lake Municipal Road Program" will consist of the milling and resurfacing of the Stonewall Court, Centennial Way, and Cambridge Road asphalt roadways. In addition to resurfacing, there will be localized areas of full-depth pavement replacement, minor reconstruction of Belgian block curb, resetting of manhole and inlet frames and grates, upgrading existing inlet grates and curb pieces with NJPDES-compliant and bicycle-safe castings, as well as new pavement striping; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that projects exceeding the bid threshold are subject to the public bidding process.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that that the Borough Administrator is hereby authorized to move forward with the soliciting of public bids as it relates to the "2018 Borough of Woodcliff Lake 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 Mayor and Council at the meeting of May 7, 2018.



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