BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
SEPTEMBER 14, 2020
5:00 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. This meeting is being held via zoom and televised.

ROLL CALL

Mayor Rendo asked for a roll call. Council members Falanga, Gross, Hayes, and Marson were present. Borough Attorney John Schettino was present, as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Councilwoman Gadaleta arrived at 5:40 PM and Council President Singleton arrived at 6:00 PM. Also present were Henry Klingeman, Esq. and Brent Pohlman.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

CLOSED SESSION

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga		X	X			
Gadaleta						X
Gross			X			
Hayes			X			
Marson	X		X			
Singleton						X
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 20-198
SEPTEMBER 14, 2020

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

_____6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: litigation update

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

_____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on September 14, 2020 that an Executive Session closed to the public shall be held on September 14, 2020 at 5:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

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 September 18, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

VALLEY CHABAD DISCUSSION – led by Henry Klingeman, Esq., Brent Pohlman, Esq. and Steve Lenox

Administrator Padilla stated that we have about 68 people attending via zoom. You are going to see it slightly different than the last time. We have upgraded to a zoom webinar. It is as if you were sitting in an auditorium. You will see the panelists and whoever is sitting on his side of the computer. You can be following along on cable tv. Optimum is channel 77 and FiOS 37. When we open to the public comment portion, you need to go to the bottom of the zoom and raise your hand. He will call you in the order your hand was raised. There is a 3-minute limit that we must adhere to. Any questions or comments will be responded to at the end of the comment period. You may also call in with your comments. Council President is present via his phone but not video. He is taking care of a family emergency.

Brent Pohlman, Esq. stated that it has been his honor to represent the Borough in this litigation. He appeared before the Mayor and Council approximately 3 weeks ago and reviewed and explained the proposed settlement at that time. He will not go over those details again since it has already been discussed. During the time that has passed since then, this Governing Body has

been very responsive to the questions and concerns that had been raised by the public. These concerns, comments and questions have been passed along to all the Borough's professionals. Many people have an interest in this and there have been many questions raised over the course of the past few years and the past few weeks. Mr. Pohlman will try and address some of the questions in order to provide a level of comfort for those residents. Mr. Pohlman stated that Houses of Worship are different than other applications. The standards by which they are reviewed and the criterial that are applicable to them, are different than other applications and we must be cognizant of that not only when reviewing it but when we are engaging in in the settlement process. The issue of square footage has been raised. A few weeks ago, Mr. Pohlman had stated that he doesn't think square footage was a red herring. The floor to area ratio has been around a long time and has evolved quite a bit over time. Initially, floor to area ratio was confined to just commercial non-residential uses. The reason was because the floor to area ratio's criteria takes away many of the other characteristics that are very important in a residential plan which are setback, height, and design. Mr. Pohlman stated that we had to ask ourselves why we are so concerned with floor to area ration. The purpose of that is to control total volume, occupancy, limiting occupancy limits intensity of use. Intensity of use is what has the greatest impact on the local neighbors as well as the community at large. The Borough and the congregation have agreed on an occupancy limit. That have agreed on an occupancy limit that is appropriate for the parking element so that there are not off-site parking issues. The idea that there is going to be some change to the character of the community is just wrong. Allowing Valley Chabad who has been a member of this community for over two decades to enter into this settlement with the Borough, has no impact on the Borough, will not change the character of the community and would not serve as a basis for any other applicant, residential, commercial or non-profit to come into your community and make demands with respect to land use. Some residents had concerns regarding traffic and safety. When we heard these traffic concerns, we approached the police department and asked them what issues you have encountered with respect to this intersection. What we have seen is that in over the last 5 years that there have been no motor vehicle accidents or pedestrian issues up there. We also must recognize that this application is not seeking a use variance. We are not allowed to consider off-site existing traffic conditions because that would be depriving the landowner of the ability to use their property in an approved manner just because the State, County or municipality failed to properly design, maintain or operate an intersection.

Henry Klingeman, Esq. stated that when he was here on August 20, 2020, he explained the settlement terms for the Department of Justice settlement and that presentation is posted on the internet and is there for anybody who cares to review it. He is not going to repeat that presentation. Mr. Klingeman stated that he personally reviewed all the public comments. They were all forwarded to legal counsel, municipal counsel and the Mayor and Council. Mr. Klingeman thanked everyone who sent in comments because you are engaged in your community and for that you are to be commended. We have taken all the comments very seriously. There are good reasons to support it and there are good reasons to oppose it. Not all the reasons that have been cited in opposition are good reasons. We are not going to discuss the anger that has been apparent in the comments that people submitted. All the professionals, past and present, Mayor and Council, past and present, have worked very hard over the past few

years to resolve this conflict. No one in this community has the right to accuse anyone else in this community of caving in of the dereliction of duty and other critical comments. There is no place for them. Those that are critical to the settlement, if you have a better idea or better approach, present it. Nobody has. The alternative to this settlement is litigation. Litigation that will create great uncertainty about the future, that will require the town to expend resources, that will continue to cause division in the town, that will continue to bring unwanted media and social media attention to the town, and the choice the Council members are making tonight is to whether to put an end to all that and support a settlement that results in a compromise. Mr. Klingeman stated that he wants to address one specific criticism. This is language that appears in many, many emails and is obvious that people have been talking amongst themselves and promoting this concept and that is accepting the settlement will change the character of this town. Mr. Klingeman stated that he does not live here, he does not have a person or connection to Woodcliff Lake, he has been here many times over the last 2 decades but it is not his town and not for him to say what the character of the town is, but is for the residents to do that. But he wants the residents to take a step back and take a deep breath and look what is happening here. This is a civil litigation pending in United States District Court. It is being settled. There are thousands of cases being litigated in federal court and almost all of them get settled. It is a settlement of a legal dispute brought by the plaintiffs, both the Valley Chabad and the Department of Justice who have the resources to fight this case to the end, certainly the DOJ does. Yes, it may result in a religious organization building a structure larger than the zoning rules ordinarily permit. It will result in Woodcliff Lake paying a significant amount of money, supplemented by its insurance to an amount greater than with what Woodcliff Lake is contributing but it will result in Woodcliff Lake spending a significant amount of money. But it will be less than the cost of Woodcliff Lake litigating this matter win or lose. The cost and risk are weighed in any settlement. Mr. Klingeman stated that he drove through the town on his way to the municipal complex and looked at the houses, looked at the busy streets, looked at the commercial areas and this structure is not going to change the character of the town. It is not going to set a precedent for future development. It is not going to result in a change in the population. It is going to result in a House of Worship being expanded and developed to continue to serve this community as Valley Chabad has for the last 20 years.

PUBLIC COMMENT

(limited to 3 minutes per speaker)

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

Mr. Padilla stated that there are 102 people on zoom right now. He will call the people in the order that their hands are raised. Please give your name and the town you live in.

Zoom Comments

Andre Dimino, Woodcliff Lake, asked if the applicant does not develop this, does this settlement go with the property or can it be sold. Mr. Dimino asked how the occupancy is going to be

monitored and enforced. If they are in violation of that, what can occur.

Bob Nathin, Woodcliff Lake, stated that he read somewhere that this plan does not have to go before the Planning Board. He read the landscaping plan and it appears that they are putting bushes along the front edge of the parking lot on the upper level where the Overlook curb line is. Those bushes that they are planting are only going to be 24 inches high. They are not high enough to block the parking. If we could get a row of arborvitaes which are a good shielding bush or tree be planted, immediately you would not be able to see any of the parking and it would be a more pleasant view.

Bob Fischer, Woodcliff Lake, stated that the accident reports are based on what the building looks like now, not what it will look like when its finished.

Tony DeVito, Woodcliff Lake, stated that in terms what has been presented to us at the August 20, 2020 meeting, he told his friends that if he had the same information that the attorneys have, he would have to vote in favor of the settlement. He feels that the attorney at the August 20, 2020 had in one hand the surrender flag and a sign here in the other hand and said take it or leave it. That is what was presented to us. He did not hear any arguments for the other way. He understands that the town has incurred $500,000 in legal fees since the attorneys were retained. Knowing all the parameters, the facts that surrounded this case, after $20,000 in fees, the attorneys should have recommended at that time that we settle and given us the opportunity to find another attorney who had another recommendation.

Richard Mazawey, Woodcliff Lake, the RLUIPA is a statute that appears to have the ability to support the State Law. This proposed development seeks to build approximately a 20,000 sq. ft. building on 1.72 acres. Valley Chabad is saying our municipal government and our planning and zoning boards have violated their free exercise. If the plaintiffs have been here for over 2 decades and a member of this community, and they want to grow and develop. When they tried to go to the Galaxy property back in 2008, they were offered a land transfer to Westwood to build a very large facility and blend into the entire Pascack Valley. Now we are faced with going to permit something that requires 9 variances and 4 waivers that we wouldn't give to any builder or developer. There has been no discovery, no written depositions and there is no factual basis against our town. Have there been any studies for stormwater drainage?

Damian Monkowski, Woodcliff Lake, there are several Houses of Worship in this town. He doesn't understand the problem with trees and bushes. Valley Chabad has been nothing but kind to our community.

Roberta Green, Woodcliff Lake, stated that this is an inadequate venue. Ms. Green also wants to know what the hurry is to vote. We should have a Town meeting and there should be a Referendum. She also doesn't know where the compromise is. Ms. Green stated that she was told by 2 council members that $900,000 will be given to us by the insurance company and the $600,000 will be offered at a low interest loan with good terms if we settle and if we don't settle that comes off the table.

Steven Sauer, Woodcliff Lake, stated that in terms of the occupancy of 225 people, why does that require a 20,000 square foot building. Additionally, there should be a traffic light at the intersection. Why is the town responsible for all remediation efforts on this property?

Mary Ellen Offer, Woodcliff Lake, stated that she doesn't know what the court timetable is. There was an excellent presentation, but we should have a Referendum on something so significant for the town. What is the urgency and who negotiated this for us?

Dawn Lazarus, Woodcliff Lake, asked if there is anything in the agreement that explicitly states that there will be no overflow parking on the neighboring streets. Regarding the intersection that will be created, again she wants to reiterate how dangerous the intersection is. Was there any discussion in the negotiations for the Chabad to obtain rights to one of the other sites that they were denied in the past that would provide more adequate acreage for what they are trying to build. Perhaps the Hathaway property would provide more space for them. Is there anything in the agreement discussing the possibility of them building a school there.

Jeffrey Levine, Woodcliff Lake, stated that according to the court documents and the past presentation there has been extensive settlement discussions in court chambers for the past 7 months. Can the attorneys provide insight on what the Judge had to say regarding this settlement?

Gene Quigley, Woodcliff Lake, stated that he has been involved with the residents of this town with respect to the proposed development on Overlook. Many of the residents were unaware of the details until the August 20, 2020 meeting. There was a petition that was signed by 483 residents objecting to the terms of the agreement. Mr. Quigley believes that the Mayor and Council should table the vote tonight and continue negotiating.

Laura Alvarez, Woodcliff Lake, stated that she thinks this is the worst deal imaginable for our town. She asked if all Council members were present while negotiating. We are in the middle of a pandemic and the town should hold a meeting in person. Why such a large structure if it is limited to 225 people. Who is going to be responsible for the traffic?

Richard Schnoll, Woodcliff Lake, stated that he understands the values of settlement. It is important to look at your upsides and a downside. He has heard the number of $500,000 paid in legal fees and is curious if the town is paying this out of general funds or has our insurance carrier been paying our legal fees. It was a very nice presentation, but it seems that the presentation was getting the Council to accept the settlement proposal. He has heard nothing from the attorneys, maybe intentional, as to the strength of the defense that we would have going forward if we decide to continue the litigation. There are always risks in litigation.

Diane Audino, Woodcliff Lake, stated that there were 483 residents that signed the petition. The shrubs on Overlook will be too low. The settlement agreement should have some enforcement procedures for the occupancy and parking and that must to be enforced. Ms. Audino urged the

Mayor and Council to vote no tonight.

Marc Lewis, Woodcliff Lake, thanked the Mayor and Council for their services and that zoom is a great format. What is lost on everybody is that the Mayor and Council are volunteers and very few people step up and give up their personal time. This issue has been very challenging for the town for many, many years. He heard a lot of things tonight and similar to what he has heard whether the town has gotten together physically or via zoom. Zoom enables more people to participate. He heard a lot of fears tonight, fears about where are people coming from that are coming to pray. Who are these people that are coming to pray? How will this place of worship be used? Will it be used to teach children? Could it even be used to teach some of the special needs children that the Chabad reaches out to? When we think about any other religious institution, whether it is Woodcliff Lake or elsewhere in this country, we don't seem to regulate what the mission is. His family has been emailed a lot as to why the Borough should vote no. He thinks that it is great that people are responding but the town has 5,800 people in it and 483 people signed a petition. Please vote for supporting religious freedom and a group that does a lot of good.

Debra Cazaz, Woodcliff Lake, stated that many people have not looked at the plans and spread information that is not correct. She is not sure how come the members of the Council have not clarified that. The Chabad does a lot of charity work and it is for Jews and non-Jews. People are speculating and spreading rumors.

Laura Caspert, Woodcliff Lake, asked why the Borough is not willing to settle with Valley Chabad by giving them one of the original properties that they wanted.

Pastor Marc Stutzel, Woodcliff Lake, commented that his church has a wonderful structure and has been in the community for over 60 years serving Woodcliff Lake and the surrounding community. His understanding is that their beautiful sanctuary and beautiful space that they are able to amazing things with and if the rolls were reversed and they were going to buy this property now, to build the sanctuary that they wanted to, they would not have been able to build what they have because they would not meet the acreage requirement. They wouldn't be able to be the faith community that they are just because the property was not the right size. Valley Chabad should be able to be the community that they were called to be, to serve their neighbors, their community, their spiritual life and he is grateful for the work that he has been able to do with the Rabbi.

Anthony DeSales, Woodcliff Lake, stated that a lot of the comments about traffic have been about motor vehicle. His concern is about increased pedestrian traffic on Overlook, especially with Demarest Farms and the increased traffic that that brings to the area. It is very difficult to see people walking at dusk.

John Grus, Woodcliff Lake, stated that there were no accidents going back until 2008, but what will the additional maximum capacity do to traffic in the area. How is this addressed? What traffic statistics were studied on Overlook Road at this time and how will the maximum

occupancy affect the traffic going forward? By allowing such a large square footage sets a precedent for others.

Taran Chernin, Woodcliff Lake, stated that she has been very proud to have grown up in Woodcliff Lake. She stated how disappointed she is to hear this conversation because this is a town that she would have hoped and had always considered welcoming and a diverse community and it is the complete opposite that she is listening to. Urges to vote in favor of Valley Chabad.

David Phight, Woodcliff Lake, stated that he is a proud member of Valley Chabad. He hears this conversation and wants to commend the Pastor of the church on Pascack Road for what he just said. By constantly blocking Valley Chabad's attempt to relocate to build a larger structure has forced Valley Chabad to build on their current site. He is sure that Valley Chabad would love to be given another site within the town. He is proud to live in Woodcliff Lake and urges the Council to reconsider a different location or to approve its current location with the proposal that they set forth.

Shelly Klein, Woodcliff Lake, stated that she encourages the Council to vote yes. Valley Chabad enhances our community.

Tim Hanley, Woodcliff Lake, asked if all the questions being asked would be addressed at some point. Mr. Padilla replied that the Mayor explained at the beginning of the meeting that at the end of the comments whatever can be answered will be answered by one of our attorneys. Mr. Hanley asked if a resident could use their 3 minutes to ask a question and expect an answer during their allotted time. Mr. Padilla replied no and that it was explained. Mr. Hanley stated that there is nothing in question about being welcoming or whether there is a community that is deserving of an opportunity to respond to what they believe is being inspired to do. What is in question here is the number of violations that must be turned a blind eye to in order to accept such a negotiation is alarming. Nothing in question as whether the Chabad will enhance our own community, whether they are comprised of men and women of good will. All those things he assumes to be true. He believes the size is absurd and we are even having this conversation. He is not in support.

Julie Brooks, Woodcliff Lake, stated that we are here today because 2 of the locations going back many years have already been rejected. That is something to recognize. She is showing her support for Valley Chabad and urge the Mayor and Council to vote yes.

Stu Gold, Woodcliff Lake, stated that this has been an ongoing discussion for many years. He understands that there were other locations to consider in the past, but they were asked by the town to please not to do so. A vote needs to be taken tonight by the Mayor and Council. It appears that all the important issues and details have been addressed and accepted on both sides.

Clifford Levy, Woodcliff Lake, stated that never has there been an issue about having Chabad build a House of Worship. Nobody ever said no. What they are saying is in a residential area to

overbuild is going to cause problems and to say that a mere 20,000 sq. ft. building is going to have 225 people is ridiculous. It is going to have triple that and have more cars and more traffic. When they first applied to open something up 20 years ago it was for 12 people. Instead of 12 people being in the house it was 50, 100 and more than 100. If you want it in a residential area it must conform and not overwhelm the residential area.

Telephone Comments

Barbara Dym, Woodcliff Lake, stated that she supports the Chabad. She is Valley Chabad. Her children are Valley Chabad.

Minda Gura, Woodcliff Lake stated that she votes yes.

Edward Shinrod, Woodcliff Lake, stated that he votes yes.

Randy Mintz, Woodcliff Lake, stated that she supports a yes vote.

Barry Shashoua, Woodcliff Lake, stated to vote yes on the vote.

Michael Green, Woodcliff Lake, asked when and how are the questions going to be answered that were raised tonight. How did the Justice Department get involved in the first place? He believes the Council should vote no.

Elizabeth Coopertown, Woodcliff Lake, stated that she votes yes.

Lawrence Levy, Woodcliff Lake, stated that he supports Valley Chabad and absolutely yes.

Robert Rosenblatt, Woodcliff Lake, stated that the Mayor and Council is not elected to do what their friends tell them to do or what the popular thing is. You were elected to do the right thing. All of you know in your hearts that the right thing is to vote yes for Valley Chabad and if you vote no it is going to cost you more money down the road.

Susan Johnson, Woodcliff Lake, stated that she has a concern about the monetary payout. She thinks that the Mayor and Council should look at the past places of interest for Valley Chabad. Her other concerns are safety and the exit from Mill Road Ext.

Michelle Mayer, Woodcliff Lake, stated that she votes yes.

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

PROFESSIONALS' ANSWERS TO QUESTIONS

Mr. Pohlman stated that he is here to provide some answers to the questions. Mr. Pohlman

stated that there are occupancy guidelines which are established for public safety reasons. For this instance, the Valley Chabad and the Borough came to an agreement on the occupancy level which the Borough determined to meet. Enforcement on parking would be the police department and code enforcement. We have no reason to think that they wouldn't comply to what they agree to in the settlement agreement. When reaching a settlement, the Governing Body wanted to create something that has minimal impact on the surrounding community. That is why occupancy is at a number that they were able to provide for enough on-site parking which means that they should not be on-street parking. If there is no on-street parking, there should be no pedestrians walking. Everybody visiting the location should have a parking spot. We talked about the safety and the existing traffic conditions. It is important to remember that for a use such as this, there is no use variance needed, we are limited to considering existing off-site traffic issues. A traffic report is provided during the initial application which our engineers have reviewed and didn't disagree with. We have no reason to believe based on data and protocols that their design will create an issue. If there is an existing issue, that is not Valley Chabad's problem. The data shows that there is no reason for concern at this intersection. We went back to 2008. An issue was raised if it was a take it or leave it settlement. Mr. Pohlman doesn't know if there is ever a take it or leave it settlement. This settlement certainly didn't come over night. Your elected officials worked very hard over the last 2+ years to both defend and obtain a resolution that addressed the issues for the residents in that area and community at large. They reached a point, on the advice of their professionals, they determined that they were going to present this settlement for a vote. They believed that this was the best potential settlement they could achieve. He doesn't think that any of them would say that there is a line in the sand. But professionally, it is very rare that somebody says they are going to walk away and then the other side says wait hold on I'm going to give up on everything that I want. That is impractical and not how it works in litigation. There was a concern raised about NJTA approvals and soil testing. Mr. Pohlman stated that before a shovel goes in the ground, the applicant will obtain an NJTA approval and they will have provided the appropriate soil testing. There is no bypass of any of those administrative mechanisms. There were concerns with the zoom meeting. Zoom is certainly different. It is not the same as being in front of somebody. We are all learning to adapt to this in our professional and personal lives as well. There is no court or government that is going to tolerate us saying that we are refusing to move forward with the operation of government litigation because we are not comfortable with zoom. In fact, looking at this particular Council Chambers, he suspects that we probably had more people participate this evening via our virtual format than we would have if we had done the traditional Council meeting where it was only on the local television. Another issue raised was about compromise. Mr. Pohlman stated that nobody on the Council is privy as to what Valley Chabad's ultimate bottom line was, but we know that we were concerned was not about limiting them because they are an active participant in our community. We were concerned about was limiting the impact on the residents around there. Our concern was not about size but about limiting occupancy and occupancy means parking. It was an approach that was taken to obtain a goal. A few people raised the idea of a Referendum. Without getting into too much legal analysis on that, it would be inappropriate to hold a Referendum on the determination of resolving litigation for a House of Worship. Counsel would not recommend or support a Referendum. Residents raised the question about having the meeting at Tice. Mr. Pohlman stated that it was discussed, and the

determination was made that the number of people that who could be at Tice wouldn't be enough to offset the fact that there would not be the tv capability there. While we could have had a few more people at Tice, not a ton, because you would have had the full Council, attorneys, Administrator, Clerk, and Engineer, participation would have been limited greatly by the fact that we would not have the television capabilities that everyone is watching on right now. There was a question about Woodcliff Lake to remediate the property. As far as they are aware there is no issue with remediation at that property. The Borough has never been provided with any documents that demonstrated any level of contamination. There were questions about why the Borough didn't suggest that the Chabad use other properties that the Borough may own. As many of you know, the properties that the Borough acquired are from open space funds which limits their use and there are restrictions on what can happen with the properties that are acquired through open space. The properties that the Borough owns, the Borough did nothing inappropriate to acquire these properties. They did not in any way discourage any other entity from looking at acquiring them. The Borough acquired them knowing that there would be limited use capabilities. A resident raised a question about the timeline for court. There is a court mandated meeting on September 23, 2020 in which the court expects a status on this matter and if the matter isn't resolved the court will certainly direct that discovery go forward, and litigation continue. There was a question about overflow parking. Again, because of the limited occupancy, because occupancy satisfies the standard for on-site off-street parking, on those days that they need additional parking, Valley Chabad is obligated to find off-site parking and provide appropriate and safe transportation of their visitors to the location. There was a question about a school. There has been no application for an educational facility as part of this application. Mr. Pohlman stated that he cannot answer any questions about what the Judge stated, what was said during closed session or what the strengths and weaknesses have been because we are still in active litigation. There was a question about who went to Newark for the conferences. Mr. Pohlman and Mr. Klingeman were always present. There were representatives of the insurance carrier and there were various representatives of the governing body, Mayor and Council, who appeared on different dates and that was during the spring, summer and early fall of 2019. Your elected and appointed officials appeared there, your elected officials who are volunteers appeared their numerous times at the request and order of the Federal Judge and participated in these negotiations on behalf of the Borough. A resident asked how it is possible that there will be a limitation of 225 people. Mr. Pohlman stated that this will be enforced through the settlement agreement as well as the police department and code enforcement official.

Mr. Klingeman stated that there is one question that came up people who urged the Council to vote no and some of the people urged the Council to vote yes asked the same question which was why not find an alternative location. That is a question that we asked and that is a question that we discussed with Valley Chabad and for practical and understandable reasons, Valley Chabad wants to build on the location that they own. It was considered. Several people asked in emails and tonight said if Woodcliff Lake settles this case, won't we be labeled an anti-sematic town. Won't the settlement be an acknowledgement of wrong doings, specifically antisemitism. The answer is NO as a practical matter. Both settlement agreements that will be reduced to writing and be an official record of this town contain absolutely no admission to wrongdoing of any kind, much less admissions of antisemitism. Mr. Klingeman stated that counsel for the Justice

Department, counsel for Valley Chabad and counsel for Woodcliff Lake since Mr. Klingeman and Mr. Pohlman got involved in this case 2 years ago, through great pains, to turn the temperature down with respect to allegations of antisemitism. We heard a little bit of that stuff tonight and some reference to heavy political muscle. The Council is not going to decide based on rumor and false information. There has been no political pressure put on anybody. This decision is going to be made based on the merits. The people that are going to vote in favor are going to vote for their very good reasons and people who vote no, if there are any, will do so for their good reasons. The fact is arguments about if Woodcliff Lake is antisemitic have no place in this discussion. There is no evidence of that. In fact, settling the case will be a welcome development, not just for Woodcliff Lake, but for Valley Chabad. Valley Chabad is prepared to embrace the settlement and go forward as a contributing member of the community. Members of the Chabad have been calling in tonight and its their support that this town can expect in the effort of good will going should this settlement be approved. Mr. Klingeman would ask the question in the opposite way. If you don't settle this case, what will be the reputation and consequences. Mr. Klingeman would be very comfortable in answering some of the lawyers who called defending this case based upon on what he has seen. He feels very comfortable saying that your officials, past and present, have done a very incredible job administering this process. That is not the reason we are settling or not settling. This settlement is not being made based on a well-founded fear that there is going to be a judgement against Woodcliff Lake. Mr. Klingeman is not going to talk about the details of the case, but he would feel very comfortable defending Woodcliff Lake going forward. By having said that, as we talked about last month, this settlement, for many practical reasons, is an opportunity for the town to put this controversy behind us, behind you. There will be written agreements with no admissions of wrong-doing and it will govern the conduct of both parties including the Valley Chabad. An agreement that will be enforceable in court. In addition, there is a very specific site plan. It goes up to a point because after that point, without construction and without more detail, it is impossible to anything but speculate as to whether this structure can be built. If it can be, that is a fair outcome. If Valley Chabad is going to be forced to scale it back based on the laws of physics or the laws of finances, or for whatever reason, Valley Chabad will do so. This town is not going to stand in Valley Chabad's way for any reason that violates RLUIPA. There is a financial plan to settle this case. Woodcliff Lake's insurance carrier is paying a substantial amount and the rest of the money will be loaned to the town over a lengthy period so not to adversely affect the town's fiscal stability. This is available to the town now and not necessarily going to be available in the months and years to come. For those of you that are encouraging a no vote, he hasn't heard anyone up to this moment offering an alternative except for litigation. Obviously if there were a better deal to be had, everyone who has been collectively involved in this effort, would have sought that better deal. It is not like we were offered a better deal and we said no. We took the best deal we could. If you don't have a solution that is different and better than what is on the table, then you are not providing a constructive alternative. Lastly, this settlement is an alternative to litigation. It is a compromise. This brings this controversy to an end.

Mayor Rendo stated that at this point he is going to open it up to Council comments.

COUNCIL MEMBERS' REMARKS

Councilman Marson stated the following:

"Let me be crystal clear – in my opinion this case has very little to do with the free expression and celebration of religion. Today, the Mayor and Council is voting to settle an action whose genesis is a relatively old and common type of zoning statute, from which a more complex violation of RLUIPA (Religious Land Use and Institutionalized Persons Act) has been alleged.

We are tasked with an all or nothing approval or rejection of the settlement's three aspects: financial, zoning/construction and Department of Justice consent. I reject the settlement in its entirely and hope that my position is supported by most of the counsel.

My parents raised four brothers in a typical reform Jewish household during the 1960s and 70s. I pride myself on maintaining religious personal and business relationships and support the right to freely practice one's chosen path.

As a young child one of my most impactful lessons was that of Tzedakah – whether interpreted as "justice" or "charity" the point was – and I quote from Chabad.org's website "it's just the correct, honest thing to do". In my opinion, this settlement is anything but.

On August 16, 2020, Rabbi Dov wrote in an email seeking support for the settlement:

"There is a small yet vociferous group of people that continue to be opposed to Valley Chabad's project at all costs and would prefer that this court case persist for many years to come. Their letters and emails to the Council and Mayor have a singular purpose of derailing the settlement agreement and sending this community back into conflict which will cost taxpayers and Valley Chabad untold millions of dollars with no end in sight."

I find this portrayal of public opinion and the conclusion that continued opposition will "cost taxpayers and Valley Chabad untold millions of dollars with no end in sight." To be disingenuous and unfair. The taxpayers of Woodcliff Lake have every right to be upset at the settlement terms and to demand greater transparency.

Imagine being asked to approve a payment of $1.5 million when there may be no RLUIPA violation and that the terms of the settlement are more closely aligned with an unfortunate "luck of the draw" rather than a meritorious claim?

Initially, I was more accepting of the monetary portion of the settlement given accommodative financing provided by our insurance carrier for Woodcliff Lake's $600,000 contribution. However, given the lack of clarity regarding any RLUIPA violation, I cannot in good conscience vote to approve any payment.

I also take exception to the Site Plans and Consent Agreement.

Valley Chabad seeks approval for a structure of approximately 20,000 square feet which is more than 60% larger than that previously rejected by our Zoning Board. There is no need for long-winded analysis here. Suffice to say that Valley Chabad has used the shield of the settlement to avoid obtaining necessary permits by governing authority to build the structure. The structure's disproportionate size relative to neighboring homes, implied difficult to build and inherent traffic and logistical issues does not indicate any compromise worthy of approval.

The Consent Agreement with the Department of Justice is meant to be a summary recitation of the facts and findings between parties and includes mutually acceptable conditions in order to conclude the case. In my opinion, the summary of facts and conditions to resolve this matter do not fairly portray Woodcliff Lake and its representatives; nor do the conditions meted out by the Justice Department provide a useful path to compliance.

I would like to thank the Woodcliff Lake Zoning Board for their commitment to fairness. In my opinion, their hard work has been usurped by an unfair combination of legislative and legal processes. If passed, this settlement will disproportionately burden our town for many years to come.

Again, based on the foregoing, I reject the settlement in its entirely and vote no.

I do, however, remain open to an aggressive modification of the settlement and would be pleased to participate in any such effort. Thank you."

Councilwoman Hayes stated the following:

"I'd like to begin by saying that there is no question that the Valley Chabad is an important part of our community. In a previous fall, Rabbi Dov and his daughter were walking the neighborhood. When they came to my front door, the Rabbi was holding an Italian citrus fruit and explained how this fruit was part of the Jewish holiday rituals. The visit ended where I happily accepted a blessing from the Rabbi. There is no doubt that The Valley Chabad has been an integral part of not just our neighborhood but also the community at large for 2 decades. But getting back to the settlement before us tonight. My vote represents: civil case with the VC, which includes the site plan, and the federal case with the DOJ. Where I am having the most difficulty is with the site plan. A variance request for 70% impervious coverage is a large difference from our zoning which is 30%. The 70% impervious coverage leads to other concerns...specifically with a TBD final design of the retaining wall and stormwater detention. This site plan still requires NJTA approval. And accordingly, I think any dollars paid by the Borough should be contingent upon NJTA approval for this specific site. With that said, I would like to continue working on a fair and reasonable settlement with the VC."

Councilwoman Gadaleta stated the following:

"Before I case my vote, I would like to say that I have read all the emails, answered all the calls, and made time to discuss the settlement with everyone that has approached me! I am a resident and active member of this community for 29 years and counting. And I want what is best for Woodcliff Lake, today and in the future.

After reviewing all the facts, listening to the professional attorneys, engineers and discussing the pros and cons with my fellow council people, I know I am making the right decision that is in the best interest of Woodcliff Lake.

It did not come easy. I have had many sleepless nights! My concerns are like all that have been expressed to me. I would like the building to be smaller, I would like the payout to be less. However, I need to ensure that any Potential Financial Crisis to the taxpayers is averted. Also, that our Borough services and capital improvements are not jeopardized by extreme legal fees and possible multi-million-dollar award for damages.

Of most importance to me and the reputation of our beautiful town is that there is NO admission of wrongdoing.

From this we can move forward in UNITY as ONE town, all inclusive, all accepting and all with the same values that make us a wonderful community."

Councilwoman Gross stated the following:

"When most of us were elected to the Borough Council, we stepped into a mess which had already been in place regarding these lawsuits. We were facing the likelihood of a long drawn out lawsuit that would drag our beloved community through the mud with continued negative news stories.

We were also informed of the possibility that we could be held responsible for the plaintiffs high priced attorney fees.

As a whole, based on a thorough exam of the risk of a lawsuit, and armed with what we believed was sound advice from our very highly qualified and skilled attorneys, the decision was made to seek a settlement and forego a lengthy, and risky, litigation process.

After considering several, and attempting almost as many, approaches to find a resolution, we addressed our most serious concerns surrounding this troubled piece of property by providing Valley Chabad with a set of parameters which addressed our shared concerns around and specific issues.

When we set these parameters, our body was made up of Mayor Rendo and Council members Hayes, Gadaleta, Singleton and me and 2 council people no longer serving. We collectively decided to move forward in settlement talks by providing these parameters. We collectively agreed that should these parameters be met, we would in fact agree to settle this case.

I have been dismayed about how this process has been portrayed on social media, a forum where, unfortunately, the truth has little bearing on what some choose to share in efforts to advance their own agendas. To suggest that any of my colleagues ceded their responsibility to be part of the negotiating or were unable to assert their concerns or opinions is untrue and irresponsible.

Like others, when we were presented with the site plan in February, I was not only overwhelmed with the enormous size of the proposed structure and shocked at the resulting removal of so many trees, but was also surprised that the established parameters allowed for such a large building.

It was hard to swallow the reality that our issues had been addressed, and that Valley Chabad honored their side of our agreement by adhering to allowable guidelines. Even knowing that, I still had, and expressed, my concerns with the settlement agreement, and needed clarity on other issues regarding the trees and screening. I also made myself available to hear directly from our engineer and learned that they had in fact addressed our very serious concerns regarding stormwater run-off.

I continue to struggle with the size of the proposed structure, yet, because I value my integrity above all else, find myself in a position where I cannot oppose this settlement. I don't see how our Mayor or the four council people who engaged in this agreement could now vote "no" without further validating the allegations that our borough is working against Valley Chabad in their pursuit to build a facility capable of handling their congregation and the work they wish to continue.

Some residents may feel as though this process has moved too quickly. Let me assure you that that is not the case. As a legal matter, I as well as my colleagues, have been obliged to honor the requirement that our discussions remain confidential. While this has been difficult as I hold firm to the idea of full transparency in government, I was not going to put our community into a position where it could face further penalty.

Though sometimes difficult, it is the duty of elected officials to make these hard decisions. And I, for one, hold the fiduciary responsibility we must be good stewards of taxpayer dollars as the most sacred. However, we also agreed unanimously that it was important to share as much as we could with the community, which is why we asked our legal team, Mr. Klingeman and Mr. Pohlman, as well as our engineer, to participate in an information session on August 20, 2020. We even went further and delayed our vote until tonight just in case any resident brought up a matter of concern we had not already considered.

Now we are faced with the reality that we either vote for this settlement, or we head toward a lengthy and extremely expensive litigation, whether we win or lose this case. The advice and counsel we have received is to settle risking a financial liability that could reach many millions of dollars, a tab that will be on the back of our residents, is not an action I am willing to take. Nor

am I going to allow Woodcliff Lake's reputation to continue to be sullied by negative press or thoughtless social media.

Raised a Roman Catholic and not having known much about the Jewish faith until adulthood, I have come to learn a great deal about Valley Chabad, how they have established a strong foothold in our community, about how many of our residents, our neighbors, are participating in their activities and are beneficiaries of their good will. Through all of this, Valley Chabad has continued to find new ways to engage with and help the community at large regardless of religious affiliation.

In the end, I am left hoping that while it is within their rights to undertake the construction they have proposed, Valley Chabad comes to realize that the proposed building size is simply too large, and that they find a way to reduce the scope of this structure while still being able to practice and serve our residents and neighbors.

I also hope that our community can begin to focus on repairing soiled relationships, and work toward coming together towards common goals. I hope we can end the divisiveness which has resulted from this matter. We have serious issues before us, including what will be the long-lasting impact of COVID-19.

While we continue to address the health and safety of our community, we must also concern ourselves with the economic impacts this pandemic has placed on our small town. As I continue to proudly serve all of you, I will do so in the only manner I know how, with honor, dignity and respect. The decisions I make will always be those I believe are best for the community. That's what I ran on, what I stand by, and what I will continue to do.

I do implore all residents to stay informed throughout the year, and to not merely get involved when incited by a fellow resident sharing their perspective of what is going on. Please make the time to sign up for our constant contact email subscription. We have several different areas for which you can sign up, and this would avoid the concern that many have addressed about being out of the loop. I also suggest that many of you who have signed up in the past do make the time to check your spam. It seems that only 251 out of the 473 emails sent regarding our Mayor and Council meeting and agenda which included the notice about this matter, were opened. We have gone to great lengths to try and keep our public informed and specifically included a survey about communication in our Newsletter which reached every home at the height of our shut down. We thought this was a perfect opportunity for our residents to voice their concerns. I greatly appreciate the 30 residents who made the time to let us know that we are communicating effectively. Please do sign up for alerts and email subscriptions, do read the newsletters, and please do consider volunteering in the many capacities available to participate in town matters. Volunteers have been difficult to get in the past, but I am hopeful that this renewed interest in town matters will result in more residents making the time to help us all make Woodcliff Lake the #1 town to live in New Jersey!"

Councilman Falanga stated the following:

"I welcome the opportunity to finally be able to say a few words about my thoughts regarding the proposed settlement of Valley Chabad and the United States Department of Justice. I wanted to give my remarks by acknowledging the general frustration voiced by residents regarding the ability to understand the settlement as proposed, timing of its consideration and process by which it is arrived at. I recognize that there are strong views on the proposed settlement, both for and against. This process is not being rushed as it has unfolded over years starting when Valley Chabad filed its complaint almost 4 years ago in November 2016. In recognizing the frustration over concerns about transparency given any litigation, I want to ensure all residents that I reviewed and considered the many emails that we have received in favor and opposed to the proposed settlement, as well as the comments from residents that contacted me directly. Importantly to me, the Borough is not in litigation with the developer or corporation. We are in a dispute with a religious organization comprised of our fellow residents. Seeing this litigation come to an end weighs heavily in my consideration. Many emails and comments from residents that oppose this settlement want Valley Chabad to be able to build a new House of Worship that will suit their needs. They had concerns that the proposed building is too large for the property. There were also concerns with traffic and safety. The project has been thoroughly reviewed by our Borough engineer and I am comfortable from what I've been advised that the building, while larger than would be permitted under our current conditional use for Houses of Worship, is otherwise sound. It will allow Valley Chabad members to practice their faith and engage in other activities related to their faith in one building. For the Borough, the proposed settlement fixes a limit on the size and scope of the project regardless of what other third-party approvals may require. Some residents want the Borough to seek vindication of its actions in connection with Valley Chabad's zoning application. I understand this reaction as the allegations are very serious. They contravene all that Woodcliff Lake is, a welcoming community to all faiths. As our counsel has advised vindication assuming that could be obtained, comes at great financial risk to the Borough and its residents. Aside for the continuing litigation cost which will be substantial, there is a possibility that the court will find the Borough violated RLUIPA or find in favor of other elements of Valley Chabad's claims which could result in a multi-million dollar damage award against the Borough and with the risk that we will not have insurance to cover such a loss. The fact that the Department of Justice has sued the Borough and joined in the matter only heightens my concerns. This settlement which is supported by the Borough's insurance company and which will fund a large portion of the payment mitigates that risk. This is not to suggest that I believe the Borough and its representatives acted improperly in connection with Valley Chabad's application. But the Department of Justice contends that our existing conditional use land ordinance for Houses of Worship violates RLUIPA at least that has been applied to in this case. This is a serious concern. Some residents expressed concern that the proposed settlement will establish a precedent of allowing overdevelopment and variances from our Borough Land Use ordinance. I do not share that concern as this case is anything but routine. The Department of Justice's involvement is much more than that. I recognize that the settlement is not perfect, no settlement is. In balancing all before me, I view this settlement as protecting the Borough and its residents from continued uncertainly and significant financial risk and expense. Most

importantly, it allows the Borough and Valley Chabad to put the past behind and move forward in community."

MAYOR'S REMARKS

Before we proceed with a vote on this settlement, I am going to address this issue and explain the process and deliberation that has been undertaken in this matter.

As legal settlements like these dictates so much of the work has been done behind the scenes, and I want to assure you that this is not a point that was arrived at easily.

In fact, it started almost four years ago today when Woodcliff Lake's Zoning Board of Adjustment rejected the application in question. Advised that this action was to be met with legal action, this body, as it was constituted then, embarked on pre-litigation preparation, including advising our insurance company of a possible claim and engaging a national law firm to provide us with a risk assessment on RLUIPA and to assist our zoning board attorney in drafting the Zoning Board resolution.

Both sides agreed to mediation, a process that started in March 2017 in front of Honorable Alexander Carver. Borough officials proposed a 6,000 square foot structure, and then a 10,000 square foot structure instead of the 17,000 square foot structure Valley Chabad had put forward. These proposals were rejected.

Soon after, the United States Department of Justice commenced its investigation with Borough officials cooperating fully. At the same time, our attorneys were provided, and reviewed, thousands of pages of discovery that we requested from Valley Chabad. An initial settlement proposal by the Department of Justice was rejected by Borough officials in June 2018.

Throughout this litigation, we have asked all the attorneys that have represented the Borough to provide litigation risk assessments and potential damage projections. Based on the totality of the information provided, we determined that it would be appropriate to explore settlement if we could achieve a result that limited the impact on the neighborhood and community at large.

Our current legal team of Henry Klingeman, Esq. and Brent Pohlman, Esq. whom you all heard from on August 20, 2020 and again tonight, were installed in June and July of 2018 and immediately began to coordinate a strategy on the matter that was now in front of the Honorable Jose Linares, Chief Judge of the United States District Court in Newark.

With interrogatories, electronically stored information, notice to produce documents and witness lists compiled, and the thorough review of thousands of pages of discovery dating as far back as 1997 to the present, the Borough's legal team succeeded in having both the federal action and the private action consolidated at which point it was transferred to Judge Katherine Hayden while Judge Dixon remained as the Magistrate.

In Spring 2019, the Federal Magistrate began to facilitate settlement discussions. Proposals were made by both sides that were rejected, negotiated over and accepted. Since that time the Council has engaged in lengthy discussions regarding various drafts and changes to the proposed consent order/settlement agreement.

These negotiations continued right up until August 19, 2020. Members of this body, as well as our legal team and engineer, have engaged in near daily dialogue, as well as with Valley Chabad, on some of the more subtle, through no less important points, of the terms that are now before us.

Like everything else, COVID-19 has altered the way we do business, but we cannot allow it to stop us from doing the people's work, and we will not let it get in the way of full transparency. It was with that idea in mind that we made the decision to amend the agenda for our August 20, 2020 meeting to allow for that to be a thorough, complete, and open session related to every aspect of the settlement.

We have also read all your emails. We understand everyone's concerns. The entire Council has also considered all these same concerns. Those concerns, and the diversity of opinions on this matter, were reflected in the emails we received, which have been split for and against the proposed settlement. That division has been like that since the inception of this case. Not everyone will be satisfied no matter what we do. But we cannot be paralyzed by that.

This community has been torn apart by this case, and social media can be a brutal forum. Even last month, I witnessed residents calling each other names and insulting each other. We must move beyond that. This community needs to heal and the only way to do that is to heal together.

As elected officials it is our responsibility to understand the risks in any settlement and act accordingly on behalf of the residents we serve. Like a business, a risk/benefit analysis must be done. Here the risk of not entering this settlement greatly outweighs the risk of litigation. Let's analyze this.

If we litigate this to the end and win, we will have accrued approximately $2 million in attorney and expert fees and litigation costs. These are taxpayers' dollars. Also, a decision in our favor does not, and I repeat, does not, prevent Valley Chabad from going back to the Zoning Board of Adjustment and filing a new application with new cost and fees to the Borough. Back to square one with a $2 million price tag to you, our residents.

If we litigate and lose any portion of this suit, not only do the fees we be expected to pay the Borough's attorneys and experts increase, our taxpayers are also on the hook for the plaintiff's attorneys fees, now approximated at over $1.5 million, and expected to be doubled if not tripled by the time a trial is concluded.

The Borough of Woodcliff Lake, all of you, would also be responsible for the increase of construction costs from the time of the filing of the application to our Zoning Board to the end of

trial, as well as possible punitive damages which will be treble damages plus their cost and expenses. All potentially more than $10 million. Do you want to roll the dice with the above scenarios?

Many have suggested that the settlement is not a fair one, that Valley Chabad did not negotiate anything. That is simply untrue and something I must correct on the record. Chabad wanted a 44- foot high structure. We objected, they reduced it to appear lower than 40 feet.

Chabad wanted a 385-person capacity. We objected, they reduced it to 225. Chabad wanted decking that would have required a variance. We objected, they agreed not to seek a variance for the decks. Chabad wanted a retaining wall. We objected, they agreed to keep the retaining wall 5 feet from the property line.

The parking regulations we have instituted as part of this process meets those already required an established local ordinance, including an off-site parking plan for the limited swell dates, when attendance is expected to be highest.

Valley Chabad has also agreed that they will get New Jersey Turnpike approval as well as all DEP soil removal permits before they put a shovel in the ground. They also agreed to additional plantings along Overlook Drive to serve as a barrier to the road, something that was not in their original plan.

Now is the time for our community to move forward. Now is the time for our Council, as part of their fiduciary responsibility to the residents we represent, to make a decision that considers a full analysis of the matter before us, understanding also that if we do not, our insurance carrier has said that they are no longer responsible for the claim that right now is covering $900,000 of the $1.5 million settlement, again exposing our residents to greater financial risk.

I urge my colleagues to vote "yes" tonight, not to bring this matter to a conclusion, for there is still a long way to go, but rather to bring dawn to a new day in Woodcliff Lake, one where we are again taking our rightful place as the most open and welcoming community, one that celebrates diversity, and one where our neighbors, all of our neighbors, work shoulder to shoulder to make it even better.

I know the kind of neighbor Valley Chabad has been, and will continue to be as we move past this settlement agreement and continue to work together to meet the needs of our Borough, the needs of our residents, and the needs of their congregants. Let's leave here tonight united."

RESOLUTION(S) REGARDING VALLEY CHABAD/DOJ SETTLEMENT

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga		X	X			
Gadaleta	X		X			
Gross			X			
Hayes				X		
Marson				X		
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING SETTLEMENT TO ENTER INTO A CONSENT ORDER WITH VALLEY CHABAD

RESOLUTION NO. 20-199
SEPTEMBER 14, 2020

WHEREAS, the Valley Chabad, Inc. previously filed suit against the Borough of Woodcliff Lake, Civil Action No. 2:16-cv-08087; and

WHEREAS, through ongoing discussions and negotiations, the Parties have reached a settlement and wish to enter into a Consent Order with regard to this matter; and

WHEREAS, the Governing Body of the Borough and its legal counsel in this matter has reviewed the Consent Order attached hereto and incorporated herein by reference and recommends the approval of same.

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 the Consent Order with regard to the matter Valley Chabad, Inc. and Rabbi Dov Drizin v. the Borough of Woodcliff Lake, Civil Action No. 2:16-cv-08087, attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Governing Body pursuant to its legal authority, hereby authorize and direct the Mayor to execute the Consent Order attached hereto and incorporated herein by reference on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough is hereby authorized and directed to take all steps necessary to effectuate the Borough's obligations as outlined in the Consent Order between the Parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this Resolution together with the signed Consent Order to the respective parties upon its passage.

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 September 14, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga		X	X			
Gadaleta			X			
Gross	X		X			
Hayes				X		
Marson				X		
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING SETTLEMENT TO ENTER INTO A CONSENT ORDER WITH UNITED STATES OF AMERICA

RESOLUTION NO. 20-200
SEPTEMBER 14, 2020

WHEREAS, the United States of America previously filed suit against the Borough of Woodcliff Lake, Civil Action No. 2:18-cv-10511; and

WHEREAS, through ongoing discussions and negotiations, the Parties have reached a settlement and wish to enter into a Consent Order with regard to this matter; and

WHEREAS, the Governing Body of the Borough and its legal counsel in this matter has reviewed the Consent Order attached hereto and incorporated herein by reference and recommends the approval of same.

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 the Consent Order with regard to the matter United States of America v. the Borough of Woodcliff Lake, Civil Action No. 2:18-cv-10511, attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Governing Body pursuant to its legal authority, hereby authorize and direct the Mayor to execute the Consent Order attached hereto and incorporated herein by reference on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough is hereby authorized and directed to take all steps necessary to effectuate the Borough's obligations as outlined in the Consent Order between the Parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this Resolution together with the signed Consent Order to the respective parties upon its passage.

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 September 14, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

RECESS

MOTION to go into recess was made by Councilman Marson, second by Councilwoman Gadaleta and unanimously approved.

Mr. Pohlman and Mr. Klingeman left the meeting.

Roll Call:
Councilman Falanga
Councilwoman Gadaleta
Councilwoman Gross
Councilman Marson

Absent:
Councilwoman Hayes (arrived at 9:08 PM)
Council President Singleton

APPROVAL OF MINUTES

Motion to approve the Minutes of August 20, 2020 (Open) was made by Councilwoman Gadaleta, second by Councilman Marson and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross and Councilman Marson. Councilwoman Hayes and Council President Singleton were absent for roll call.

Motion to approve the Minutes of August 20, 2020 (Closed) was made by Councilwoman Gadaleta, second by Councilwoman Gross and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross and Councilman Marson. Councilwoman Hayes and Council President Singleton were absent for roll call.

Councilwoman Hayes returned to open session at 9:08 PM.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that there is a Resolution on the Agenda awarding a contract to Premier Pool Renovations. As you know we have been looking to do the renovations of the pool shell. The bids were just opened last Thursday. Our engineer has made a recommendation for

Premier Pool Renovations. This money has been set aside from the Capital Bond Ordinance that we did last year. There will be portion in the contract that sets a deadline of April 15, 2021 for it to be complete. They may begin as early as this year with some of the work. Once approved, the contract can be finalized.

COUNCIL MEMBERS' REPORTS

Councilwoman Gadaleta thanked our DPW because they have been doing an outstanding job. Residents may call DPW to pick up leftover storm debris by September 30, 2020. The debris must be tied up or in cans to be emptied. Shredding Day is on September 19, 2020. This is a rescheduled date from March. COVID cancelled that one and there were no other dates available. Keeping this date will reduce the line and wait time at the October event. DPW is expecting a lot of residents. Leaf piles can be placed on the curb starting on October 1, 2020. The last date to place leaves out for collection is Sunday, December 6, 2020. Leaves must be 10 feet away from storm drains. Sticks and rocks should not be in the piles. The Glen Road sewer pump station replacement was successful and the new one is up and running. The Maria Road sewer station replacement project is expected to begin this week. Work will take place between 7AM and 4PM daily, Monday through Friday. Residents are advised to check the website daily for bulk clean-up collections. Councilwoman Gadaleta thanked Elizabeth Calderone for helping to get the banner that is up at the train station. The banner thanks all our first responders and acknowledging their hard work.

Councilman Falanga stated that we are awarding a bid tonight to get pool work done. We had some delays in getting that done primarily because we were told we would not have to go out to bid because it was a co-op. It turned out that that cost was going to be excessive of what we had budgeted. The bid that is going to be awarded is below what we had budgeted, and the contract will be awarded tonight. The pool will hopefully be new and ready for re-opening next year.

ENGINEER'S REPORT

Evan Jacobs, Borough Engineer, stated that Administrator Padilla and Councilman Falanga covered the information about the pool shell award which is on the Agenda for consideration tonight. The Glen Road pump station project is complete as Councilwoman Gadaleta stated. The Maria Road pump station project should begin this week. Additionally, the pool cover should be delivered within the next week or so.

ORDINANCE

Public Hearing Ordinance 20-03

An Ordinance to Amend Chapter 326 Entitled "Streets and Sidewalks" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to adopt Ordinance 20-03 was made by Councilman Marson, second by Councilwoman Gadaleta.

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

No comments.

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

MOTION to adopt Ordinance No. 20-03 was made by Councilman Marson, second by Councilwoman Gadaleta and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes and Councilman Marson. Council President Singleton was absent.

CONSENT AGENDA

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

ADJOURNMENT

MOTION to adjourn was made by Councilwoman Gadaleta, second by Councilwoman Gross and unanimously approved by voice call vote. Meeting was adjourned at 9:30 PM.

Respectfully submitted,

Deborah Dakin

Deborah Dakin, RMC, CMR
Borough Clerk

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey
Ordinance No. 20-03

AN ORDINANCE TO AMEND CHAPTER 326 ENTITLED "STREETS AND SIDEWALKS "OF THE BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

Hereto introduced on the 20th day of August, 2020 at 5:00 PM did pass on first reading and that said Ordinance be further considered for final passage at a meeting to be held on the 14th day of September, 2020 at 5:00 PM or as soon thereafter as the matter can be reached at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance, and that the Borough Clerk is hereby authorized and directed to publish said Ordinance according to law with a notice of introduction and passage on first reading and of the time and place when and where said Ordinance be further considered.

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, Chapter 326, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Streets and Sidewalks within the Borough of Woodcliff Lake; and

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 326. Streets and Sidewalks

Sec. 326-31. Obstructions.

326-31 (a) Removal of Dead Trees and Branches.

Owners of property abutting on any street or public right-of-way and/or easement are required to trim or remove trees in the public right-of-way and/or easement, contiguous to their property or on their property which encroaches into the public right-of-way and/or easement and which creates a dangerous condition. Trees with dead or overhanging branches are a potential hazard to people and or motor vehicles and are required to be trimmed or removed. The municipality shall provide written notice to the property owner by posting notice on any tree that is to be trimmed or removed and shall be either sent to the property owner by certified mail, return receipt requested or personally served upon an occupant of the property of the age of 14 years or older. The notice shall give the property owner a period of time of at least ten (10) days or a shorter period of time if necessary, for public safety, to trim or remove the trees and or branches. If the property owner does not trim or remove the trees or branches after a period of at least ten

(10) days, or a shorter period of time if necessary, for public safety, the municipality shall do so at the property owner's expense. The cost of trimming or removing the trees shall become a lien on that property and shall be included in the next tax bill rendered to the property owner. Same shall be collected in the same manner as other taxes against that property.

(b) For any road maintained by the Borough of Woodcliff Lake that is lined with trees, plantings or has any other object within its right-of-way and/or easement, said trees, plantings or any other object, regardless of the installer and absent of an agreement and resolution to assume responsibility, shall be maintained by the fronting property owner.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 20-185
SEPTEMBER 14, 2020

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 8/31/2020	$192,882.67
Payroll Released 9/15/2020	$190,050.03

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

Current Fund:	$484,414.07
Affordable Housing:	$ 3,148.50
State Unemployment:	$ 393.00
Capital:	$142,726.00
Escrow:	5,021.44

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.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

APPROVAL TO SUBMIT A ONE-YEAR GRANT CONTRACT EXTENSION REQUEST WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE LINCOLN AVENUE – SECTION II PROJECT

RESOLUTION NO. 20-186
SEPTEMBER 14, 2020

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Woodcliff Lake formally approves the submission of a one-year grant extension request for the above stated project.

BE IT FURTHER RESOLVED that the Borough Engineer is hereby authorized to submit a one-year grant extension request for the grant identified as MA-2018-Lincoln Avenue Improvement Project-00154 to the New Jersey Department of Transportation on behalf 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 August 20, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the extension of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Deborah A Robin

(Clerk)

(Mayor)

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES

RESOLUTION NO. 20-187
SEPTEMBER 14, 2020

WHEREAS, a Resolution authorizing the Borough of Woodcliff Lake to refund an overpayment of taxes for the property located at 75 Wyandemere Drive, also known as Block 508, Lot 2;

WHEREAS, an overpayment was made by the homeowner in error of the third installment, August 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Tax Collector be and is hereby authorized to refund W.J.J. 75 Wyandemere Family LP, in the amount of $183.49 to be mailed to 75 Wyandemere Drive, Woodcliff Lake, NJ 07677.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 20-188
SEPTEMBER 14, 2020

WHEREAS, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

Kevin & Lisa Rind
18 Linda Terrace
Woodcliff Lake, NJ 07677
Escrow Refund: $149.98

WHEREAS, the Planning Board Attorney and Planning Board Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of $149.98 in connection with the aforementioned.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION OF THE GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

RESOLUTION NO. 20-189
SEPTEMBER 14, 2020

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its book, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the "Borough Clerk" pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgates N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolutions of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

RESOLUTION NO. 20-190
SEPTEMBER 14, 2020

WHERAS, the Municipality of Woodcliff Lake has entered into a three- year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2020-2021 term starting July 1, 2020 and ending on June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Woodcliff Lake Council hereby appoints Jacqueline Gadaleta as its representative and Stephen Falanga as its alternate and that the Mayor hereby appoints Tomas Padilla as his representative and Deborah Dakin as his alternate to serve on the Community Development Regional Committee for FY 2020-2021; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 | resposito@co.bergen.nj.us **as soon as possible and no later than Friday, October 9, 2020.**

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 20-191
SEPTEMBER 14, 2020

WHEREAS, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

Gary & Jeanette Vogel
18 Oakwood Drive
Woodcliff Lake, NJ 07677
Escrow Refund: $840.00

WHEREAS, the Planning Board Attorney and Planning Board Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of $840.00 in connection with the aforementioned.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE

RESOLUTION NO. 20-192
SEPTEMBER 14, 2020

WHEREAS, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

Mike & Melanie Ellman
50 Heritage Court
Woodcliff Lake, NJ 07677
Escrow Refund: $675.00

WHEREAS, the Planning Board Attorney and Planning Board Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of $675.00 in connection with the aforementioned.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2019 AUDIT REPORT OF THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 20-193
SEPTEMBER 14, 2020

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file a "Corrective Action Plan" outlining the actions to be taken by the Borough relative to findings and recommendations in the annual audit report; and

WHEREAS, the "Corrective Action Plan" shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the Governing Body is required by resolution, to approve said "Corrective Action Plan", as prepared by the Chief Financial Officer and approved by the Governing Body, shall be placed on file and made available for public inspection in the Borough Clerk's office;

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Woodcliff Lake hereby approved the "Corrective Action Plan" for the Fiscal Year 2018 Audit Report submitted by the 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 Governing Body at the meeting of September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION RENEWING LIQUOR LICENSE FOR WOODCLIFF FARMS
dba WOODCLIFF MANOR

RESOLUTION NO. 20-194
SEPTEMBER 14, 2020

WHEREAS, WOODCLIFF MANOR, has applied for renewal of their respective Plenary Retail Consumption License; and

WHEREAS, the said applicant has, in the opinion of the Mayor and Council, complied with the requirements of the Alcoholic Beverage Control Commission, and the Ordinance of the Borough of Woodcliff Lake.

NOW THEREFORE, BE IT RESOLVED, that Plenary Retail Consumption License No. 0268-33-004-002 is hereby granted to **WOODCLIFF MANOR,** for the sale of alcoholic beverages for the period of July 1, 2020 June 30, 2021, in accordance with the requirements of said Act and said Ordinance, on premises located at 25 Prospect Avenue.

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 September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH COUNTY OF BERGEN FOR BONEFIRE E-PROCUREMENT SOFTWARE SERVICES

RESOLUTION NO. 20-195
SEPTEMBER 14, 2020

WHEREAS, the Borough of Woodcliff Lake desires to enter into a Shared Services Agreement with the County of Bergen for Bonefire E-Procurement Software Services to aid with bid posting and design; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, the term of the Shared Services Agreement will be for a period of five (5) years through June 30, 2025 at no cost to the Borough for the initial five-year term;

WHEREAS, the Borough Administrator and Borough Attorney have reviewed the Shared Services Agreement between the Borough of Woodcliff Lake and the County of Bergen for Bonefire E-Procurement Software Services, a copy of which is attached hereto and incorporated herein by reference, and recommend the approval of same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Shared Services Agreement, a copy of which is attached hereto and incorporated herein by reference, between the Borough of Woodcliff Lake and the County of Bergen for Bonefire E-Procurement Software Services to aid with bid posting and design for a five-year period through June 30, 2025 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution upon its passage together with the Shared Services Agreement to the County of Bergen.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION APPROVING MAINTAINING COSTS OF SHARED SERVICES AGREEMENTS WITH COUNTY OF BERGEN FOR 2021

RESOLUTION NO. 20-196
SEPTEMBER 14, 2020

WHEREAS, the County of Bergen recognizes the strain that the COVID-19 pandemic has made on municipalities' budgets throughout the County; and

WHEREAS, in an effort to combat same, the County of Bergen has elected to automatically renew its shared service agreements with the Borough of Woodcliff Lake that expire on December 31, 2020 at the same fee and on the same billing cycles; and

WHEREAS, the County of Bergen has provided a 2021 Schedule of Services and Fees to the Borough for a total cost for 2021 of $37,520.10, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Borough Administrator has reviewed the 2021 Schedule of Services and Fees provided by the County and recommends the approval of same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the 2021 Schedule of Services and Fees provided by the County of Bergen in the amount of $37,520.10, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution upon its passage to the County of Bergen.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of September 14, 2020.

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
Falanga			X			
Gadaleta	X		X			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton						X
Mayor Rendo						

RESOLUTION AWARDING A CONTRACT TO PREMIER POOL RENOVATIONS, INC., TO PERFORM THE RECONSTRUCTION OF THE TOWN POOL SHELL AND OTHER MINOR IMPROVEMENTS AT THE OLD MILL POOL COMPLEX

RESOLUTION NO. 20-197
SEPTEMBER 14, 2020

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, upon the recommendation of the Borough Engineer, that the Contract for the Town Pool Shell Reconstruction be awarded to **Premier Pool Renovations, Inc., located at 5185 Campus Drive, Suite 202, Plymouth Meeting, PA 19462, in the amount of Three Hundred and Twenty-Eight Thousand Dollars and Zero Cents ($328,000.00) for the base bid, and Forty Thousand, Three Hundred and Seventy-Five Dollars and Zero Cents ($40,375.00) for Alternate Bid A, for a total bid of Three Hundred and Sixty-Eight Thousand, Three Hundred and Seventy-Five Dollars and Zero Cents ($368,375.00)**, for the total contract, being the lowest of three (3) bids received.

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 September 14, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

CERTIFICATION OF FUNDS

I hereby certify that the cost of the services to be performed may exceed $17,500 and that funds are available.

Harold Laufeld

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
Falanga		X	X			
Gadaleta						X
Gross			X			
Hayes			X			
Marson	X		X			
Singleton						X
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 20-198
SEPTEMBER 14, 2020

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

_____1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

_____2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

_____3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

_____5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

_____6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: litigation update

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

_____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on September 14, 2020 that an Executive Session closed to the public shall be held on September 14, 2020 at 5:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

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 September 18, 2020.

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
Falanga		X	X			
Gadaleta	X		X			
Gross			X			
Hayes				X		
Marson				X		
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING SETTLEMENT TO ENTER INTO A CONSENT ORDER WITH VALLEY CHABAD

RESOLUTION NO. 20-199
SEPTEMBER 14, 2020

WHEREAS, the Valley Chabad, Inc. previously filed suit against the Borough of Woodcliff Lake, Civil Action No. 2:16-cv-08087; and

WHEREAS, through ongoing discussions and negotiations, the Parties have reached a settlement and wish to enter into a Consent Order with regard to this matter; and

WHEREAS, the Governing Body of the Borough and its legal counsel in this matter has reviewed the Consent Order attached hereto and incorporated herein by reference and recommends the approval of same.

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 the Consent Order with regard to the matter Valley Chabad, Inc. and Rabbi Dov Drizin v. the Borough of Woodcliff Lake, Civil Action No. 2:16-cv-08087, attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Governing Body pursuant to its legal authority, hereby authorize and direct the Mayor to execute the Consent Order attached hereto and incorporated herein by reference on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough is hereby authorized and directed to take all steps necessary to effectuate the Borough's obligations as outlined in the Consent Order

between the Parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this Resolution together with the signed Consent Order to the respective parties upon its passage.

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 September 14, 2020.

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
Falaga		X	X			
Gadaleta			X			
Gross	X		X			
Hayes				X		
Marson				X		
Singleton			X			
Mayor Rendo						

RESOLUTION APPROVING SETTLEMENT TO ENTER INTO A CONSENT ORDER WITH UNITED STATES OF AMERICA

RESOLUTION NO. 20-200
SEPTEMBER 14, 2020

WHEREAS, the United States of America previously filed suit against the Borough of Woodcliff Lake, Civil Action No. 2:18-cv-10511; and

WHEREAS, through ongoing discussions and negotiations, the Parties have reached a settlement and wish to enter into a Consent Order with regard to this matter; and

WHEREAS, the Governing Body of the Borough and its legal counsel in this matter has reviewed the Consent Order attached hereto and incorporated herein by reference and recommends the approval of same.

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 the Consent Order with regard to the matter United States of America v. the Borough of Woodcliff Lake, Civil Action No. 2:18-cv-10511, attached hereto and incorporated herein by reference be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Governing Body pursuant to its legal authority, hereby authorize and direct the Mayor to execute the Consent Order attached hereto and incorporated herein by reference on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough is hereby authorized and directed to take all steps necessary to effectuate the Borough's obligations as outlined in the Consent Order between the Parties; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this Resolution together with the signed Consent Order to the respective parties upon its passage.

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 September 14, 2020.

Deborah Dakin

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK