



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES  
August 10, 2015  
8:00 PM**

**CALL TO ORDER**

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

**ROLL CALL**

Mayor Jeffrey Goldsmith asked for roll call. Council members Belgiovine, Bloom, Chiavelli, Gadaleta, Panso and Rendo were present. Borough Attorney Ron Dario was present as well as Debbie Dakin, Borough Clerk.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance led by the Malloy family.

**RESOLUTIONS**

Resolution No. 15-197                      Resolution Promoting Chad Malloy to Sergeant with the Woodcliff Lake Police Department in the Borough of Woodcliff Lake

**ROLL CALL:**

Introduction: Mr. Bloom  
Second: Mr. Rendo  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

**OATH OF OFFICE**

Sergeant Chad Malloy

**ROLL CALL:**

Introduction: Mr. Rendo

Second: Mrs. Gadaleta

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

**APPROVAL OF MINUTES**

MOTION to approve the Minutes of July 13, 2015 (Open Session) was made by Council President Rendo, seconded by Councilwoman Gadaleta and approved by Council members Belgiovine, Chiavelli, Gadaleta, Panso and Rendo. Councilman Bloom abstained.

MOTION to approve the Minutes of July 13, 2015 (Closed Session) was made by Councilman Belgiovine, seconded by Council President Rendo and approved by Council members Belgiovine, Gadaleta, Panso and Rendo. Councilman Bloom abstained and Councilwoman Chiavelli voted no.

**CORRESPONDENCE**

- Music at the Barn, 13 Pascack Road, Park Ridge

**PUBLIC HEARING**

- Bergen County Open Space Grant

Kathy Haake spoke on behalf of Trust for Public Land. Their company works with municipalities such as Woodcliff Lake to buy land to be used for public open spaces. They are a national non-profit land conservation organization. Their mission is to conserve land for people to enjoy as parks, gardens and other natural places. Ms. Haake stated that when they are protecting land their company serves as an independent agent. They buy land from willing land owners and then transfer to a public agency. They are not a broker or agent. In most cases they do not charge fees. Ms. Haake also stated that they are supported by donations from individuals, businesses and foundations including the land owners they buy property from. Ms. Haake stated that she was at the meeting to introduce her and answer any questions. She also stated that she has been in contact with the owner of Galaxy Gardens and talking about purchasing the property for open space. Ms. Haake wants to be sure that the Council is supportive of this position and knows that there is a Resolution on the Agenda tonight.

Mayor Goldsmith introduced Peter Blanos from Millennium Strategies. Millennium Strategies is

Woodcliff Lake's grant writing firm that has been with Woodcliff Lake since 2014.

Ms. Haake stated that any transactions that they consider their transactions they take the lead the role which means that they go under contract with the land owner and then work with the municipality or county or state to raise the funds to purchase the property. They then go to closing and transfer the property.

Mayor Goldsmith asked Ms. Haake how many property they were currently looking at. Ms. Haake replied approximately 10 projects going on across the state in various levels of completion. Ms. Haake stated that they like to ask for a year on their option agreements to get everything together but often times it could take longer.

Councilman Belgiovine asked if there was any private funding available. Ms. Haake replied that there are sometimes private foundations that will put some small amounts of money into projects but she does not know yet about this project and they are usually small percentages.

Councilman Bloom stated to Ms. Haake that she mentioned the pricing is determined by appraisal and Ms. Haake confirmed that that is correct. Mr. Bloom asked as to what percentage of deals that they become involved in come to completion versus not. Ms. Haake replied that 98% of the transactions that they get involved in comes to closing. Councilman Bloom asked that if they are able to make a deal with the land owner but they cannot secure a source of funding, what happens at that point. Ms. Haake replied that the deal dies.

Councilwoman Gadaleta stated to Ms. Haake that she continues to use the word project. Ms. Gadaleta stated that we have yet to come up with an actual use for this property. Mrs. Gadaleta asked if you need an actual use for a "project" to pursue this project. Ms. Haake replied no and that all she needs to know is that the property will be used for open space for public access.

Council President Rendo asked that if there is a proposed structure that is going to be placed on the property, will that void out the grant application that we may be seeking. Ms. Haake stated that Woodcliff Lake should decide ahead of time before you put in a Bergen County Open Space application if you are going to want to put a building on that property is closed using funding from any of the open space sources, you will not be able to have a building on it. Mr. Rendo asked if the availability of the grant monies out there is approximately \$3.6 million. Ms. Haake replied yes that that is what Bergen County has to offer all the municipalities in Bergen County.

Mayor Goldsmith stated that if the appraised value is \$1.35 million by the Borough and the land owner wants above that number, what happens. Do you walk away from that transaction? Ms. Haake replied yes they have to.

Mayor Goldsmith stated that the property is approximately 2 acres and if part of the property is used for open space and the other part of the property is used for the Borough Hall, will you participate in half the property. Ms. Haake replied that Bergen County has a minimum of 2

acres purchase using their funds.

Council President Rendo stated to Ms. Haake that she would be negotiating on behalf of the Borough with the land owner to come to a price. Ms. Haake replied that they are not an agent of the Borough and she would not accept that responsibility but they will negotiate and go into contract with the landowner themselves and does not technically need the permission of the Borough to do that but in order to get the project done she needs the support of the Borough. Mayor Goldsmith asked if the Borough could negotiate with her, separately or without you. Ms. Haake replied that they normally negotiate on their own but at the Borough's direction.

Councilman Belgiovine asked Ms. Haake if there was any cost to the Borough for her to negotiate on our behalf. Ms. Haake replied that there is no cost. Ms. Haake stated that they ask the landowner for a donation of the proceeds of the sale to cover their costs. If the transaction fails, they generally don't get a donation to cover their costs.

Mayor Goldsmith asked if the donation is a specified number. Ms. Haake replied that it depends on the landowner. There are some landowners that are very happy when they see their land preserved and there are landowners that don't care if their land is preserved or not.

Councilman Belgiovine asked Ms. Haake if she would be working with Peter Blanos on the application for the Bergen County Open Space Grant. Both Ms. Haake and Mr. Blanos replied that they would be working together and the application has to be filed by September 3, 2015.

Peter Blanos from Millennium Strategies explained that his role would be to actually prepare the application for the grant on behalf of the Borough and will be working with Kathy but Millennium will be in charge of preparing the application. The open space trust fund through the County is a program that is funded through an assessed tax on all properties within the County. The land acquisition grant program is specifically designed for the purchase and conservation of land with the purposes of open space. This is essentially for the purchase of the Galaxy Garden property.

Councilwoman Gadaleta asked Mr. Blanos if he knew an approximate number that we might receive from the County. Mr. Blanos replied that out of the \$3.6 million that is available the County is also taking a piece of that for their own acquisition projects. You are then looking at \$2.9 million with maybe 5 – 10 applications and that is just a rough estimate. It could definitely exceed that in any given year. We could put in to be competitive somewhere between \$400,000 - \$500,000 ranges but the County could not tell us because it depends on how many proposals they get in the quality of those proposals. Mr. Blanos also stated that we would need to put in the level of matching funding that we would provide towards the project.

Mayor Goldsmith asked Mr. Blanos if the County is restricted to the appraised value as well. Mr. Blanos stated that the appraisal has to be in compliance with the DEP Green Acres standards and they have to accept it in that regard. Ms. Haake stated that the appraisal that was already completed by the Borough is not in compliance with the DEP Green Acres

standards but did have their appraiser look at it and they stated that it should come in around the same value. Ms. Haake stated Green Acres standards are a higher level of information that is needed but is still based on comparable sales.

Mayor Goldsmith stated that the next thing he was thinking of doing was moving the discussion of moving Borough Hall to here and tie the two together and then having public comment. Council President Rendo stated you cannot tie the two together because it will jeopardize the application. Ms. Haake stated that if you are asking the County for funding for a piece of property of less than 2 acres you will probably not get it. Mayor Goldsmith stated that he will still like to have the conversation of the relocation of borough hall so he is going to move that any way. Councilman Belgiovine asked if we could have public discussion on the public hearing first and then he could have his conversation afterwards. Mayor Goldsmith stated that you have to give ideas a chance. Mayor Goldsmith stated that this is something that he has been looking at since the end of 2012 which is to create a town center and take a look at where local government is going to be 5-10 years down the road. We have a building that is going to take a lot of money over the next few years. The structure will not cost the tax payers it's really a net neutral in the sense of the tax dollars that you are going to raise to have to pay for it. Mayor Goldsmith stated that Mr. Iovino is here and he would like to bring him up and combine the two. Mayor Goldsmith asked Mr. Iovino to come up and let people know what his thought process was and take people through some of the numbers and try and make this as simple as possible.

Council President Rendo stated that we cannot do this in conjunction with the Open Space Grant because it is going to jeopardize the Borough's ability to obtain the grant if we start speaking about putting structures on that property. We have an opportunity to get money and let's not jeopardize that right now. We are putting the cart before the horse. Mr. Iovino will have a chance to speak some time in the future but having him speak today will jeopardize our ability to go forward with this grant application.

Mayor Goldsmith stated that as Mayor he gets to control the agenda and is going to take his ability and move this from New Business and have Mr. Iovino discuss.

Councilwoman Chiavelli made a MOTION to withdraw the discussion of relocating borough hall from the agenda. Mayor Goldsmith stated that his Mayor's Report will include the same exact thing so if you pull it now it is going to be on his Mayor's Report. Borough Attorney Dario stated to the Mayor that he could discuss anything he wants in his Mayor's Report but Mr. Iovino could not be part of it. Council President Rendo stated that for 2 years this Council has been speaking about open space, both passive and active recreation. We've come this far and we are going to continue to move forward with open space, passive and active recreation. Any testimony of Mr. Iovino will highly jeopardize this process. Council President Rendo SECONDED Councilwoman Chiavelli's MOTION. Mayor Goldsmith respectfully disagreed. Councilwoman Chiavelli stated that they promised the tax payer's for 2 elections that they were going to go ahead and pursue this and following the right process. Ms. Chiavelli stated to the Mayor that she believes he is not listening to the people of the Town because he flip-flops. A month ago it

was a referendum and now you want to put borough hall on there. You put in the paper that it was an authorized visit by the planner here to go to Galaxy Gardens and that was not authorized by any of the Council. Mrs. Chiavelli stated that she would like the Mayor to allow the Council to do what they need to do.

Councilwoman Gadaleta stated to the Borough Attorney that since the presentation is on the Agenda and there might be some people in the audience that are here to hear this presentation. Wouldn't it be fair to let them present something as people in the audience could be here waiting to listen to what they have to say? Borough Attorney Dario replied that it is on the Agenda but Council could vote to override.

MOTION to remove the discussion of the relocation of borough hall was made by Councilwoman Chiavelli, seconded by Council President Rendo.

Councilman Bloom stated that he wants to make sure it crystal clear that if we were to theoretically look for open space funds for the purpose of the property and then chose to chance the use of the property, would that potentially jeopardize going for the grant or not. Mr. Blanos stated that if you receive an award it could only be utilized for open space and recreation. If there was ever a conversation that you said you wanted to put a bathroom on that piece of property, he is sure that they would consider that but an actual physical structure, such as a borough hall, he does not believe the County would entertain.

Councilwoman Gadaleta asked Mr. Blanos in his opinion if Mr. Iovino spoke tonight he would jeopardize putting through the application for the grant. Mr. Blanos stated that it would reflect in the minutes of the application that there are a lot of other conversations that are happening relative to the potential uses of the site. Mrs. Gadaleta asked how long it would take to hear back from the County. Mr. Blanos replied that it usually takes 8 months to a year to receive a final award and contract agreement.

Council President Rendo asked Mr. Blanos that if Kathy were able to secure a contract with Galaxy Gardens is that a positive for the application for the grant. Mr. Blanos replied yes.

**ROLL CALL:**

Introduction: Mrs. Chiavelli  
Second: Mr. Rendo  
Ayes: Mr. Belgiovine, Mrs. Chiavelli, Mr. Panso, Mr. Rendo  
Nays: Mr. Bloom, Mrs. Gadaleta  
Abstain: None  
Absent: None

Mayor Goldsmith stated that there is an organization in Bergen County called Bergen County Grass Roots that praised Woodcliff Lake for being the most open and transparent wide meetings.

MOTION to open to the public regarding the Public Hearing for the Bergen County Open Space Grant was made by Councilwoman Gadaleta, seconded by Councilman Belgiovine and unanimously approved.

Diana DiGirolamo, Woodcliff Lake, stated that she is wondering if this goes through who owns this property. Ms. Haake replied that if the property is purchased using open space dollars it is decided that the Borough would own the property.

Donna Abene, Woodcliff Lake, stated to Ms. Haake that she stated that she was looking at ten properties. Mrs. Abene asked out of those ten properties how many are contaminated. Ms. Haake stated that she could not recall off the top of her head. Mrs. Abene asked if the property is cleaned before it comes to the Borough. Ms. Haake replied that they might help coordinate the clean-up of the property but the property does not transfer clean.

Mrs. Abene stated that she serves on the Community Relations Board for the County so she knows a little bit about County money and you say that you have approximately \$3.6 million in county open space money and out of that little amount of money and considering there are 70 municipalities in the County of Bergen, many of which are urban, what are the chances of Woodcliff Lake, with all of our open space, getting any of those dollars? Mr. Blanos replied that it really comes down to the proposal that is submitted. The proposal must have merits and that it is moving forward. Mrs. Abene stated that she is not on the Board that makes the decision, but she would think that Woodcliff Lake would not be high on the list since we have so much open space that we have not developed yet.

Ms. Haake replied that the County collects open space funds from taxes of all the residents in the County and it cannot be guaranteed, but they do feel the need and obligation to spread the money around so it does get spread out to all the municipalities.

Alvin Starr, Woodcliff Lake, stated from what he understands the site has to be cleaned up to the satisfaction of the DEP before any grant money will be given out. Another factor is the site is probably the most risky area of the town with its dangerous intersection. How does that affect the sourcing of funds? Mrs. Blanos replied that he does not necessarily think that it would impact the County because they will come out and give an assessment of the property based upon their own criteria.

Mr. Starr stated that the Borough has purchased properties in the past and no improvements were made to those properties. Would this have an impact to the application? Mr. Blanos did not know if this would have any effect on the application.

Gary Newman, Woodcliff Lake, asked if you take County money does the property have to be open to all county residents. Mr. Blanos replied yes. Mr. Newman further stated if anyone from the county wanted to utilize the property, no matter how many, they would be entitled to. Mr. Blanos replied yes. Mr. Blanos further stated that while the Borough would own the

property they would have to make it available to all residents of the County. Mr. Newman asked what would happen if it became overcrowded and they started to parking in municipal parking spaces or park across the street. Mr. Dario replied that the municipality could control the parking issue. Mr. Newman replied that the problem is when you take county money you are subject to all residents of the county being able to utilize the property and you cannot stop it. Mr. Dario replied that you could prohibit the parking.

Bert Taylor, Woodcliff Lake, stated that he would like to hear the plans that the Mayor has for moving Borough Hall to the Galaxy Gardens property. Mr. Dario replied that the Mayor will speak about that during his Mayor's Report.

Robert Rosenblatt, Woodcliff Lake, asked if we had a plan for the property. It has been 2 years and there is still no plan. Council President Rendo replied that it will be active and passive recreation. Mr. Rosenblatt asked what does that mean. Mr. Rendo replied that it will be up to the Council to decide when we get to that phase and that all we need right now is the designation of active and passive recreation. This will satisfy the requirements. Mr. Rosenblatt asked what about all the other properties that we bought that are not developed. Does the Council have any plans for those pieces of properties? Council President Rendo replied that they are focusing on this piece of property. Mr. Rosenblatt asked if the Borough should have a comprehensive plan for all properties.

Josephine Higgins, Woodcliff Lake, asked how the residents are supposed to know how much money the Borough has if there has never been a Budget Newsletter available to the residents.

Donna Abene, Woodcliff Lake, stated that she thought the environmental study was supposed to be available tonight. Mayor Goldsmith replied that on Wednesday morning he called the Borough Clerk and asked her to release the Phase II study that we received from Boswell. At that time he reached out to the newspapers that it would be on the Borough website. Subsequently he received several phone calls that they could not find the material on the website and at that point he reached out to Debbie and she shared that while the letter from the attorney did not say "Attorney Client Privilege" she noticed that Boswell's memo said "Privileged and Confidential" and therefore Debbie reached out to the Borough Attorney. The Borough Attorney's recommendation was not to release the Phase II study. Mr. Dario stated that it will be on the website tomorrow. Mr. Dario stated that his office did tell Debbie not to release it until they received the approval from our Galaxy Gardens Counsel.

Gary Newman, Woodcliff Lake, stated that he just wanted to follow up what he said earlier. He was at a Mayor and Council meeting approximately 6 months ago and he advised the Council not to move forward with condemnation but to negotiate. However, he is against utilizing County money for this property. Once you use County money it is open to all the residents of the county. This is a small town and not that big of a piece of property. If you use County money to purchase the property and in 10 years from now you don't want a park there, you need a new borough hall or something else, once you take the County's money you are stuck with the open space and cannot change your mind.

Council President Rendo stated that we do have a Constitution in the United States. The first amendment of the Constitution is Freedom of Assembly so I think we would have a very difficult time prohibiting anyone from using our parks based on the United States Constitution.

Councilwoman Chiavelli stated that she so happens to do a lot of walking and goes to many different parks and our scale of a park is much smaller than some and does not think they everyone will be flocking to our small park and flooding us with people. Mr. Newman replied that he thinks in Upper Saddle River they have a problem.

Cheryl Dispoto, Woodcliff Lake, asked if the other properties that the Borough owns were purchased with Green Acres monies. Mr. Blanos stated that he is not sure. Mrs. Dispoto stated that if we take Green Acres funds for a property is that property now accessible to anyone in the State. Mrs. Haake replied yes. Mrs. Dispoto stated that she wanted to commend this Council for moving forward with this purchase. There are a lot of people in this town that live in the vicinity and would love to see this preserved. Mrs. Dispoto also stated to the Mayor that she does not believe anyone is stifling him, they just want preserve the integrity of the application. Mrs. Dispoto also stated that she knows personally that the Mayor has been speaking about borough hall since 2013 but you talked about a lot of things.

Alvin Starr, Woodcliff Lake, stated that we don't know how contaminated the site is, there might be design restrictions for passive and active recreation, certain areas might be hot spots and a dangerous intersection, maybe the town should acquire through eminent domain certain properties to make the intersection safer. If the town is looking to repurpose the site, the public at large needs to be involved beyond the Mayor and Council meetings. There should be an end use plan design for the site, other site that are not developed and what it will cost to create the vision. This should be put to a vote come November so the people could decide.

Mary Ellen Offer, Woodcliff Lake, stated that she has been actively involved in Galaxy Gardens since 2013 when it came to the residents' attention. Ms. Offer stated as Mr. Rendo has pointed out, two successive public elections outcome was a result of the people's position on moving forward with the intent to possess that property to protect and preserve that property as open space. Maybe if there weren't so many road blocks there would be plans for this site.

Councilman Chiavelli stated that it is the property owner's responsibility to clean up the property and it will be cleaned and remediated to DEP standards. The intersection will be planned so that it is safe and they are taking this one step at a time.

Bert Taylor, Woodcliff Lake, stated that if we are having recreation on both sides of the street what happens when you child wants to run across the street to the pool or is at the pool and wants to run across to the park. No one has done anything about the safety of this corner for years.

Councilwoman Gadaleta stated that the Mayor and herself have sat down with the County and

their engineers and have discussed possibilities with them. They also involved Mr. Vuich and are currently waiting for the County to get back to them so they can see what they can do. Mr. Taylor stated that we should make the intersection safer now and not wait to acquire the property to do something about it.

Joseph LaPaglia, Woodcliff Lake, stated that he had been involved with the purpose of several properties within the Borough. All the properties purchased were done so strategically because of their physical location that they are near our existing park and recreation facilities. A comment was made as to why we didn't do anything to these properties and the reality is that we did have ideas of what might be suitable but in 2008 the recession hit and a lot of people said we should sit back and wait. Mr. LaPaglia further stated that this acquisition should be done strategically. The opportunity will be gone if another buyer steps in and purchases the property. You can purchase the property and then come up with a use later on. Mr. LaPaglia further stated that we currently have accumulated \$1.6 million in our open space trust fund account as of the beginning of this year. This money is sitting in a bank account.

Joan Lupardo, Woodcliff Lake, stated that this is a piece of property that we want to have and keep any open space that we could have.

Diana DiGirolamo, Woodcliff Lake, stated that her concern is that they do not hamper what they can do to this property. By taking this grant it might be something that limits us. It is important that if we own this property we have some freedom.

Cheryl Dispoto, Woodcliff Lake, asked Ms. Haake if open space increases property values. Ms. Haake replied that she believe that properties surrounding open space tend to have higher property values.

Joseph LaPaglia, Woodcliff Lake, asked Ms. Haake that if the Borough decides to go forward with you and then the Borough decides at a later date to go forward with eminent domain action on this property, what would happen with your negotiations with the property owner. Ms. Haake replied that she is asking for the Borough's support and there is no commitment on the Borough's part. If six months down the road you are not happy with the progress you can change course.

MOTION to close to the public on the Public Hearing was made by Councilman Bloom, seconded by Councilman Belgiovine and unanimously approved.

Introduction

Ordinance 15-13

Bond Ordinance to Authorize the Acquisition of a New Pumper Fire Engine, Including Original Apparatus and Equipment, In, By and for the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$600,000 to Pay the Cost Thereof, to Make a Down Payment, to Authorize the

Issuance of Bonds to Finance Such Appropriation and To Provide  
for the Issuance of Bond Anticipation Notes in Anticipation of the  
Issuance of Such Bonds

**ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

Councilwoman Gadaleta stated that she wanted to personally thank every one of the fire fighters that are here tonight. They did everything they could to try and save the Borough money on this purchase and to continually protect every resident of Woodcliff Lake voluntarily. They take time away from their family, work and social time to take care of us.

Borough Attorney Dario stated that he received an e-mail from Councilwoman Gadaleta on different ways to pay for the truck and he wanted everyone to think about the different options. He believes that there is a \$25,000 reduction in the cost if you put up 80% of the money now and you would not receive the truck for a year. You would be paying the interest on the bond during that time. The question is if you want to save \$22,000 but there is a risk involved when you are giving them that amount of money up front and what happens if they go belly up within the next year. Councilman Belgiovine asked if we wanted to make a decision on that now. Mr. Dario stated that this will be before the Council for public hearing on September 8, 2015.

Dan Schuster stated that Franklin Lakes is in discussion now for purchasing 2 fire trucks from the company, Park Ridge purchased a truck last year and Montvale just purchased a truck.

Council President Rendo stated that he felt the risk factor was not that high considering there are three other municipalities that have just purchased or in the process of purchasing trucks.

Councilman Belgiovine stated that he wanted to thank Dan Schuster for saving the Borough money on this purchase. Council President Rendo stated that when the fire department first came before the Council for the purchase of the fire truck, the intent was never to say we are not going to give you a fire truck but to come back with a better price. The initial price was \$685,000 and now the price is \$582,000. By going back and reworking the numbers and coming back we saved the Borough some money.

Resolution No. 15-205

Resolution Authorizing The Trust for Public Land to Negotiate with Galaxy Gardens for Purchase of Property

**ROLL CALL:**

Introduction: Mr. Rendo

Second: Mr. Belgiovine

Ayes: Mr. Belgiovine, Mrs. Chiavelli, Mr. Panso, Mr. Rendo

Nays: Mr. Bloom, Mrs. Gadaleta

Abstain: None

Absent: None

Councilwoman Gadaleta asked if we go ahead with this resolution are we under any obligation or commitment whatsoever. Council President Rendo replied that no we are not.

Ordinance 15-10

An Ordinance Requiring the Use of Compostable Plastic, Recyclable Paper and/or Reusable Checkout Bags by Stores Located in the Borough of Woodcliff Lake; and to Provide Penalties for Violations

**ROLL CALL:**

Introduction: Mr. Bloom

Second: Mrs. Gadaleta

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

Ordinance 15-11

Capital Ordinance of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey Authorizing the Acquisition of a Refuse Body for a Body Truck In, By and for the Borough, Appropriating Therefor the Sum of \$70,000 and Providing That Such Sum so Appropriated Shall be Raised from Capital Surplus of the Borough

**ROLL CALL:**

Introduction: Mr. Belgiovine

Second: Mr. Bloom

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

Ordinance 15-12

An Ordinance to Amend Chapter 227 Subchapter 2(H) Pertaining to the Use of Lawn Mowers/Blowers in the Borough of Woodcliff Lake Code in the Borough of Woodcliff Lake, State of New Jersey

**ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mr. Belgiovine

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

**ENGINEER'S REPORT**

(Please see attached report)

Council President Rendo stated that at the request of our Park and Recreation Liaison, Councilwoman Chiavelli, asked Mr. Rendo to look into the possibility of creating handicapped parking spots at the rear end of the pool near the hydrant because it would create an easier access for the handicapped/seniors to get into the pool from the location. Council President Rendo stated to Mr. Vuich that he understands that he did some preliminary investigations regarding this and indicated that there is a slope there. Mr. Vuich responded that there is a steep slope there. The issue is not with striping out the spaces, but is more with the compliance of what would be root of resurfacing Old Mill Road from the County Road up straight to the fence to the parkway. That would involve saw-cutting at the back of the parking stalls on the right hand side. Councilwoman Chiavelli stated that she is meeting with Elizabeth Calderone tomorrow with Officer DeGeorge to see if they could add some spots at Lydecker. Councilman Belgiovine suggested that they make 2 current spots for seniors. Councilman Panso replied that he thought that that would create a war. They would be fighting for them.

**MAYOR'S REPORT**

Mayor Goldsmith stated that the concept behind moving borough hall to the Galaxy Gardens site is a plan to decide what you do with this property and what do you do with the other property. We are only talking about moving the borough hall and the police station. We are not talking about moving the fire department. This property represents approximately a little over an acre. The thought is to simultaneously sell borough hall property and you can put 12 townhouses which is 12 to an acre. Townhouses to sell for approximately \$750,000 which is \$9 million of assessed value. If land costs approximately 20-25% of the development cost, the property should sell for \$1.5 to \$2 million. We now purchase Galaxy Gardens for \$1.5 million. You purchase half your property of Galaxy Gardens with the open space trust fund money that we have. That portion of the property is to be used as open space. So now we have \$750,000

which we used from the proceeds from the sale of borough hall. Borough hall would be approximately 10,000 square feet. Mr. Iovino was able to make his presentation, unfortunately, but would tell you it would cost anywhere \$250 for a borough hall and \$350 a square foot for a police station. We would not be asking to raise tax dollars for us. We have then accomplished a borough hall that is ready for the next century and for what he believes is coming next in local government. You have a facility that is used Monday-Friday from the hours of approximately 8:00 AM – 5:00 PM. There are approximately 50 meetings held during the year in the evenings. You still want to be sensitive to the residents that live on the south side of the property. It is a simple idea. It is a town center for the future. I believe Woodcliff Lake will never see the downtown that some people envision but people do want a town center. I've never had the cooperation of the Council that felt that my idea that should go forward. Since my opinions were always discussed in closed session, I didn't bring them out until recently over the last couple of months to share with people that when you have a vision and look towards the future and something that is financially viable, you go forward with that idea before people decide that it doesn't make sense and, we don't need.

Mayor Goldsmith stated that he showed up at the poo yesterday and there were a lot of people that commented that they wanted to hear this idea because it makes a lot more sense to get a plan of what you want to do with the property and we could see that the tax dollars that you would generate.

In the end you would sell borough hall property for \$1.5 million, buy Galaxy Gardens for \$1.5 million. Half of it would come from open space money and we have \$1.5 million in our open space trust fund. We still have \$750,000 left over which means you have the ability to fix Learning Lane, to fix the ballfields on Learning Lane that somehow have gotten forgotten by the Council. It has been discussed as one of the Goals. You can fix the basketball court by the school and have a first class basketball court. New Jersey Monthly will be coming out with their ratings for Top Ten Town. An environmentally friendly building that fits your community and is there for the next 100 years that makes sense. Let the idea float out there and think about it rather than saying no. God bless Woodcliff Lake and God Bless the United States of America and I am proud to be your mayor and I will continue to lead. Please come to the meetings and be a little bit more compassionate. Everybody has a right to their opinion. Facts are facts and don't change those.

MOTION to extend the meeting past 11:00 PM was made by Council President Rendo, seconded by Councilman Bloom and unanimously approved.

Mayor Goldsmith merged the 2020 Committee and the Sohi Committee because it just makes financial and economic sense.

### **CONSENT AGENDA**

Councilman Belgiovine asked to have Resolution No. 15-204 be moved to the Consent Agenda. Council was unanimous about moving it to the Consent Agenda.

MOTION to approve the Consent Agenda as amended to include Resolution No. 14-204 was made by Councilwoman Gadaleta, seconded by Councilwoman Chiavelli and approved by Council members Belgiovine, Bloom, Chiavelli, Gadaleta, Panso and Rendo.

Resolution No. 15-208                      Resolution Authorizing Boswell Engineering to Undertake a Feasibility Study for Enclosing Portions of the Borough Pool to Facilitate Year Round Use in the Borough of Woodcliff Lake

**ROLL CALL:**

Introduction: Mr. Belgiovine

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: Mr. Bloom

Abstain: None

Absent: None

Mr. Jeffrey Bader commented that there is not cost associated with this in the Resolution. Mr. Bader asked what the cost is. Councilman Belgiovine replied that the cost is \$9,500 and Phoenix Swim Club will be paying half of it. Mr. Bader asked that the Resolution be amended to say not to exceed \$9,500.00. Councilman Bloom asked if the Borough is on the hook for half of that. Councilman Belgiovine replied yes.

Councilman Bloom stated that the last time we had this discussion the demand for the enclosure was under question. Should we go ahead there is also a financial commitment on the Town's part and we were hoping that we would generate revenue but we really don't know so it is a gamble. Councilman Belgiovine stated that the public had questions on the expense side so that is going to give us the cost of heating the pool, the question of the maintenance of the pool, the question on the deterioration of the pool, the cost of heating the water, installing all of the equipment and to nail down all of those items.

Councilman Bloom asked why we were not using the Borough engineer for this project. Councilman Belgiovine replied that they do not have a "pool expert" and Boswell worked with Wade when he designed the pool so that have information but we did asked Neglia first.

Councilwoman Gadaleta asked if this would include the structure. Councilman Belgiovine replied that this will include if we could physically build it, that we are not going to have an issue with footings and that there is enough room for it.

Bert Taylor, Woodcliff Lake, asked if this would include the life of the pool and enclosure and any impact that it would have on the existing pool. Mr. Taylor stated that the last time this was discussed we talked about taking a look at the contract and the terms and conditions that we might want to get involved with. Councilman Belgiovine replied that before we entertain a vendor we need to entertain a concept if we could physically built it. This will confirm what we

believe we can do. Mr. Taylor replied that so far we only have this vendor. Councilman Belgiovine replied that we will be going out for bid and we might have other vendors.

Mayor Goldsmith stated that he asks one last time of Boswell Engineering. We had a meeting in July and they send a letter, they are not to send it to a Council person. It is to go to the Mayor and Council or to the Borough Clerk. With regards to the pool enclosure, he sent a letter dated August 4, 2015 to a Councilman Belgiovine and it does not have an official Borough stamp on it, because it went via e-mail to you. Mayor Goldsmith stated that his concern is that the keeper of the records does not get a copy of something when it is e-mailed only to a Council member.

Jeff Bader, Woodcliff Lake, stated that on the face of it he is not a supporter of enclosing the pool. He does not think that outside of the Phoenix Club he does not think that there will be a need for it; maybe outsiders but not for the people of this town. Mr. Bader further stated that if Phoenix is so confident that their program is going to be so great, he believes that our Governing Body insist on Phoenix pay the whole \$9,500. This has no bearing on us and he does not believe it is going to generate any revenue for the town. Councilman Belgiovine stated that he believed that they are being more than generous.

Mr. Bader also stated that another concern is how you are going to get a 10 year old kid walking from the pool enclosure up to the bathroom. Will there be a tunnel? Councilman Belgiovine stated that they are going to conform to code.

Mr. Bader stated that he is proud of the Mayor and Council and that they are doing research prior to voting on this.

Councilwoman Gadaleta asked if there was any way to negotiate the price down a little bit. Councilman Belgiovine stated that he already did.

Mayor Goldsmith stated that it took them more than 8 months to get the last study and maybe there should be a time frame. Councilman Belgiovine stated that he did not add a time frame but he will. Mayor Goldsmith asked how you reward someone for tardiness with a new contract. Councilman Belgiovine stated that this is going to be Boswell relying on another engineer or architect just like when they did Galaxy. Mayor Goldsmith asked Councilman Belgiovine what he thought a reasonable time for this would be. Councilman Belgiovine replied 2 months so that Mayor asked for 3 months because he does not want residents coming to the meetings saying that we are holding something back. Councilman Belgiovine stated that we can amend the Resolution to reflect not to exceed \$9,500 and the report to be back within 90 days.

Mayor Goldsmith asked what the penalty is if it is later than 90 days. Councilman Belgiovine stated that he could not give an answer on that. Mayor Goldsmith asked him to ask Mr. Boswell.

Ordinance 15-08

An Ordinance Amending Chapter 98 Regulating Animals within the Borough of Woodcliff Lake

Councilwoman Gadaleta stated that she had the pleasure of speaking with Chief Jannicelli regarding this Ordinance. Chief Jannicelli sent Officer Brown up Councilwoman Gadaleta's home and they went through every word of this Ordinance. They are updating what is already in our books, and this is for the safety and protection of our animals and our people. Mrs. Gadaleta stated that the final written copy has the seal of approval of our police department.

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

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

Councilman Panso stated that he feels this amendment is totally unnecessary. Mr. Panso further stated that Chapter 98 is the State statute and covers all types of animals and treatment. Everyone uses it and he does not know why we are amending it. We are making this more restrictive on pet owners of this town. We don't live in the situation where we have guard dogs guarding auto body shops or dogs chained overnight in bad conditions and unsupervised. Most of the people in this town loves their pets and spend thousands of dollars on their pets. There is no reason for this overbearing type of legislation.

Councilwoman Chiavelli stated that as a pet lover and crazy woman who spent \$300 to save the life of her Guinea pig, she also loves her dogs. One concern was the length of tethering and the length of the leash.

**ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mr. Bloom

Ayes: Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Rendo

Nays: Mr. Belgiovine, Mr. Panso

Abstain: None

Absent: None

Ordinance 15-09

An Ordinance Removing the Use Limitations Placed on the Open Space Trust Fund in the Borough of Woodcliff Lake

Introduction was made by Councilman Belgiovine, seconded by Council President Rendo.

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

Jeffrey Bader, Woodcliff Lake, asked the Borough Attorney why this was being done. Mr. Dario stated that he was told we have a cap of 25% and we needed to do this to override it. Councilman Belgiovine stated that our prior borough attorney told the Borough that we needed to do this.

Councilman Bader stated that the moral question is you can't get the direction of the ballot and then change it when it suits you. Our voters voted with expectations that there were certain limitations contained in the ballot question. You don't know how they would have voted if the question did not contain these limitations. Now after the voters have spoken, you seek to delete one of the conditions or many of the conditions that they may have relied upon to make their vote. The New Jersey Law State Statute Section B tells you that if you want to amend something on a ballot question previously, you have to use another ballot question. It is clear as day. You can't just pass an ordinance like you are trying to do tonight. Generally you cannot amend a ballot question with an ordinance. Mr. Bader stated that he would be happy to give the site and the regulations. He did consult with a few other attorneys and spent a few dollars of his personal money because this made no sense to him.

Borough attorney Dario stated that he disagrees with Mr. Bader.

Mr. Bader stated that if he is wrong he will apologize, but if the Borough attorney is wrong would do the same. Mr. Bader further stated that if it the way he thinks it is and the Borough proceeds with this action tonight, then the Borough will be leaving themselves at risk of a lawsuit.

Mr. Dario stated that he has no problem with tabling it and will be happy to do some additional research on it.

Councilman Belgiovine and Council President stated that this was Mr. Kaufman's recommendation.

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

MOTION to table this for the next meeting was made by Council President Rendo, seconded by Councilwoman Gadaleta and unanimously approved.

### **PUBLIC COMMENT**

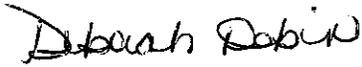
MOTION to open to the public was made by Councilman Bloom, seconded by Council President Rendo and unanimously approved.

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

**ADJOURNMENT**

MOTION to adjourn at 12:15 AM was made by Council President Rendo, seconded by Councilman Bloom and unanimously approved.

Respectfully submitted,

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

Deborah Dakin  
Borough Clerk

**ORDINANCE NO. 15-10**

**“AN ORDINANCE REQUIRING THE USE OF COMPOSTABLE PLASTIC, RECYCLABLE PAPER AND/OR REUSABLE CHECKOUT BAGS BY STORES LOCATED IN THE BOROUGH OF WOODCLIFF LAKE; AND TO PROVIDE PENALTIES FOR VIOLATIONS”**

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

**WHEREAS**, there exists a need to discourage the use of single-use, disposable plastic and paper bags and encourage the use of reusable bags by consumers and retailers in order to minimize the impact of disposable bags on our environmental and waste management systems; and

**WHEREAS**, plastic carryout bags create unsightly litter, clog sewer systems, and pose a risk to marine animals that ingest them; and

**WHEREAS**, paper bags have a measurably higher production impact than plastic. The manufacturing of a paper bag requires 40% more energy, produces up to 80% more solid waste, 72% more atmospheric waste, and 90% more waterborne waste. Virgin paper bags contribute to deforestation; and

**WHEREAS**, when land-filled, plastic bags can remain in-tact for extended periods of time (often over hundreds of years). In addition, their low weight and high volume make them an unattractive, low-margin commodity in the recycling industry. Less than 3% of plastic bags are recycled; and

**WHEREAS**, the Borough of Woodcliff Lake has a moral duty to protect the natural environment, economy, and the health of its citizens; and

**WHEREAS**, plastic shopping bags have significant environmental impact each year, including the felling of over 14 million trees, and use of over 12 million barrels of oil for bags in the United States, as well as the death of over 100,000 marine animals from plastic entanglement; and

**WHEREAS**, eliminating disposable bag usage sends a message that the citizens of the Borough of Woodcliff Lake are committed to waste reduction and actively supports environmental initiatives.

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

**Section 1:** The following shall be added as Chapter 133 in the Part II “General Legislation” section of the Borough Code. Said Chapter shall be designated with sub sections and shall read as follows.

**Chapter Title:** 133 Checkout Bags (133-1 – 133-5)

§133-1 Title. This article shall be known and cited as the "Woodcliff Lake Checkout Bag Ordinance."

§133-2 Definitions For the purpose of this Ordinance, the following words shall have the following meanings:

ASTM STANDARD: means the American Society for Testing and Materials (ASTM)'s International standard D6400 for compostable plastic, as the standard may be amended from time to time.

- (1) COMPOSTABLE PLASTIC BAG: means a plastic bag that is certified and labeled as meeting the ASTM Standard by a recognized verification entity such as the Biodegradable Product Institute;
- (2) Displays the phrase "Green Cart Compostable" and the word "Reusable" in a highly visible manner on the outside of the bag.

CHECK OUT BAG: means a carryout bag that is provided by a store to a customer at the point of sale.

HIGHLY VISIBLE MANNER: means:

- (1) For Compostable Plastic Bags, displaying both of the following in green lettering contrasting with the bag's background color that is at least two inches high:
  - i. The phrase "Green Cart Compostable" either on the front and back of the bag together with a solid green band at least one-half inch thick circling the circumference of the bag, or repeatedly, as a band of text or text alternating with solid stripe, circling the circumference of the bag; and
  - ii. The word "Reusable" displayed on the front and/or back of the bag.
- (2) For recyclable paper bags, displaying the words "Reusable" and "Recyclable" on the front and/or back of the bag in blue lettering, contrasting with the bag's background color that is at least two inches high.

**PERSON:** means an individual, trust, firm, joint stock company, corporation, cooperative, partnership, or association.

**PHARMACY:** means a retail use where the profession of pharmacy by a pharmacist licensed by the State of New Jersey in accordance with the Business and Professions Code is practiced and where prescriptions (and possibly other merchandise) are offered for sale, excluding such retail uses located inside a hospital.

**RECYCLABLE:** means material that can be sorted, cleansed, and reconstituted using the Borough of Woodcliff Lake's available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

**RECYCLABLE PAPER BAG:** means a paper bag that meets all of the following requirements:

- (1) Contains no old growth fiber;
- (2) Is 100% recyclable overall and contains a minimum of 50% post-consumer recycled content; and
- (3) Displays the words "Reusable" and "Recyclable" in a highly visible manner on the outside of the bag.

**REUSABLE BAG:** means a bag with handles that is specifically designed and manufactured for multiple reuse and is either:

- (1) Made of cloth of other machine washable fabric, and/or
- (2) Made of durable plastic that is at least 2.25 mils thick.

**STORE:** means a retail establishment located within the geographical limits of the Borough of Woodcliff Lake that meets either of the following requirements:

- (1) Is a full-line, self-service supermarket with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items. For purposes of determining which retail establishments are supermarkets, the Borough shall use the annual updates of the Progressive Grocer

Marketing Guidebook and any computer printouts developed in conjunction with the guidebook; or

- (2) Is a retail pharmacy with at least five locations under the same ownership within the geographical limits of the Borough of Woodcliff Lake.
- (3) Is any other type of retail store that sells prepared foods or any other goods to the public with gross annual sales of one million dollars (\$1,000,000) or more.

§133-3 Mandatory Use

It shall be mandatory for all retail stores to use of Recyclable and Compostable Checkout Bags.

- A. All Stores shall provide only the following as checkout bags to customers: recyclable paper bags, and/or compostable plastic bags, and/or reusable bags.
- B. Violations of the requirements set forth in subsection (A) shall subject a Store to penalties.
- C. Nothing in this section shall be read to preclude Stores from making reusable bags available for sale to customers;

§133-4 Implementation.

The Health Officer shall implement this Ordinance.

§133-5 Enforcement/ Penalties

The enforcement and penalties for all parts of this chapter shall be:

- A. Any person who violates this Ordinance shall be guilty of an infraction. If charged as an infraction, upon conviction thereof, the person shall be punished by:
  - (1) A fine not exceeding \$100.00 for a first violation;
  - (2) A fine not exceeding \$200.00 for a second violation within the same year; and
  - (3) A fine not exceeding \$500.00 for each additional violation within the same year.
- B. The Borough Counsel may seek legal, injunctive, or other equitable relief to enforce this Ordinance, including without limitation, civil penalties.

**CAPITAL ORDINANCE OF THE BOROUGH OF WOODCLIFF LAKE,  
IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE ACQUISITION OF A REFUSE  
BODY FOR A GARBAGE TRUCK IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR  
THE SUM OF \$70,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED  
FROM CAPITAL SURPLUS OF THE BOROUGH**

**ORDINANCE 15-11**

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BE IT ORDAINED by the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Woodcliff Lake, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to acquire a refuse body to be mounted on a garbage truck for the use of the Department of Public Works in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$70,000 is hereby appropriated to the payment of the cost of the improvement authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from Capital Surplus of the Borough. The sum of \$70,000 is hereby appropriated from Capital Surplus of the Borough to the payment of the cost of said purpose.

Section 3. Said improvement is a lawful capital improvement of the Borough having a period of usefulness of at least five (5) years. Said improvement shall be made as a general improvement, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

**ORDINANCE NO. 15-12**

**AN ORDINANCE TO AMEND CHAPTER 227 SUBCHAPTER 2 (H) PERTAINING TO THE TO USE OF  
LAWN MOWERS/BLOWERS IN THE BOROUGH OF WOODCLIFF LAKE CODE  
IN THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

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

**WHEREAS**, the Borough of Woodcliff Lake Code Chapter 227 addresses noise pollution in the Borough; and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake wish to revise and update subchapter 2 (H) pertaining to the use of Lawn Mowers/Blowers.

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

**Section 1.** Chapter 277 Subchapter 2 (H) is amended and shall read as follows:

- H. Lawn Mowers/Blowers. The use of powered lawn mowers and/or blowers between the hours of 7:00 p.m. and 7:00 a.m. Monday through Friday; 6:00 p.m. Friday to 9:00 a.m. Saturday; 5:00 p.m. Saturday through 9:00 a.m. Sunday; Sunday 5:00 p.m. through Monday 7:00 a.m. Snow blowers are exempted from this section.

**Section 2: Effective Date**

This Ordinance shall take effect upon passage and publication according to law.

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

**Mayor Jeffrey R. Goldsmith**

Attest: \_\_\_\_\_

**DEBORAH DAKIN  
BOROUGH CLERK**

**ORDINANCE 15-13**

**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW PUMPER FIRE ENGINE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF WOODCLIFF LAKE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$600,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

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**BE IT ORDAINED** by the Borough Council of the Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Woodcliff Lake, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to acquire a new pumper fire engine, including original apparatus and equipment, in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$600,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$600,000, and (4) \$30,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$570,000, and (6) the cost of such

purpose, as hereinbefore stated, includes the aggregate amount of \$10,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$30,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$30,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$570,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$570,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations

prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$570,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation

to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**ORDINANCE 15-08**

**“AN ORDINANCE AMENDING CHAPTER 98 REGULATING ANIMALS WITHIN  
THE BOROUGH OF WOODCLIFF LAKE”**

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

**WHEREAS**, the Borough of Woodcliff Lake has consistently supported measures to ensure that animals are treated humanely; and

**WHEREAS**, the United States Department of Agriculture has found the continuous confinement of dogs by a tether to be inhumane; and

**WHEREAS**, studies by the Humane Society of the United States have shown that tethering a dog to a fixed location for extended periods of time inhibits socialization and often results in dogs becoming territorial and aggressive, potentially posing a nuisance and threat to nearby neighbors; and

**WHEREAS**, dogs tethered over a long time to fixed location, without proper care, may become infected with parasites and diseases. Further, neighbors are exposed to health risks because of the associated concentration of urine and feces within a confined area; and

**WHEREAS**, dog tethering for extended periods of time can be injurious to the animal's health and may be life threatening, particularly during times of extreme heat and cold. Results of extended tethering include severe collar injuries and exposure-related illnesses

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

**Section 1:** the Definition section of Chapter 98-1 shall be amended with appropriate numbering to add the following terms:

*Animals* mean any and all types of animals domesticated and wild, male and female.

*At large* means off the premises of the owner or custodian of the animals and not under the immediate control of the owner or custodian.

*Dog license* means a license and registration tag required to be issued annually for each individual dog.

Keep or harbor means to maintain, possess, control and use.

Tethering means the restraining of an animal by the tying to any object or structure, including, without limitation, a house, tree, fence, post, garage, weight or shed, by any means, including, without limitation, rope, cord, leash or running line, but shall not include the use of a leash used to walk the animal or to forms of restraint used in the transportation of an animal.

**Section 2:** Chapter 98-16 of the Borough of Woodcliff Lake Code is amended by a change in title and adding subsections A, B and C. As such, Chapter 98-17 shall read as follows:

**Title: 98-16: Dogs at running large, Leaving animals Outdoors, Outdoor Animal Enclosures.**

- A. Dogs running at large. No person owning, keeping or harboring any dog shall suffer or permit it to run at large upon the public streets or in any public park or in any public building or in any other public place within the Borough of Woodcliff Lake, in the County of Bergen.
  
- B. Outdoor Animal Enclosures.
  - 1. Animals shall be provided access to an enclosure/structure which protects them against inclement weather, is water resistant and keeps them dry, provides shade from direct sunlight, and allows them to preserve a normal body temperature.
  - 2. Animals shall not be housed on a temporary or permanent basis in any enclosure/structure constructed of metal, unless adequately insulated from inclement weather.
  - 3. Outdoor animal enclosures, including pens, doghouses, or other similar structures shall be soundly constructed, safely and properly positioned on a raised platform, and properly maintained. The top of the enclosure shall be covered to provide the animal with shade and protection from the elements. The floor of the enclosure shall be constructed in such a manner that it protects the animals' feet and legs from injury.
  - 4. Pet taxis, plastic carriers, boxes, vari-kennels or metal houses shall not be acceptable as adequate outdoor enclosures.
  - 5. Outdoor animal enclosures shall contain bedding such as straw or other absorbent material in a sufficient quantity to provide adequate insulation for the structure. Bedding shall be maintained in a dry condition and renewed or changed as necessary.
  - 6. Outdoor animal enclosure shall be kept dry, clean, and free of animal waste.

**Section 3:** Chapter 98-17 of the Borough of Woodcliff Lake Code is amended by a change in title and adding subsections A, B and C. As such, Chapter 98-17 shall read as follows:

**Title: 98-17: Leash, Tethering**

- A. Leash. No person owning, keeping or harboring any dog shall suffer or permit it to be upon the public streets or in any of the public places of the Borough of Woodcliff Lake unless such dog is accompanied by a person capable of controlling such dog and is securely confined and controlled by an adequate leash not more than six feet long.
- B. Tethering of Dogs.
1. It shall be unlawful for any person to tether, fasten, tie, restrain or cause an unattended dog to be fastened, tied or restrained to houses, trees, fences, garages, stakes or other stationary or highly immobile objects by means of a rope, strap or other physical restraint for the purpose of confinement, except in circumstances where all of the following requirements are satisfied:
    - a. The tether is attached to the dog by a non-choke type collar, swivels at both ends, and attached to the stationary object by anchors, latches, or similar devices in a manner which the dog is able to move freely and prevents the tether from becoming entangled around the dog or any object so as to limit the dog's freedom within the tethered area or to prevent the dog, or any of its appendages, from becoming entangled by the tether.
    - b. The tether shall be a type commonly used for the size of the dog involved.
    - c. The tether must be a minimum of fifteen (15) linear feet in length, less than six (6) feet above the ground, and shall remain tangle free.
    - d. The tethered dog has easy access to potable drinking water, edible food, dry ground, and adequate shade and/or shelter within the tethering area.
    - e. The dog should be regularly monitored during the time of tethering for the safety of the animal and community.
  2. No dog shall be tethered by means of a choke-type, pinch-type, prong-type, or improperly fitting collar.
  3. Chains shall be prohibited for use as a tethering device.

4. If there are multiple dogs, each dog shall be tethered separately and in such a manner that the tethers shall not become entangled with each other.
5. No dog shall be tethered within five (5) feet of another person's property, public thoroughfare, and/or right-of-way.
6. No dog shall be tethered at a vacant structure or premises for any purpose when it is not monitored by a competent adult who is present at the property for the duration of such tethering.
7. Dogs that are not spayed or neutered shall not be tethered for any period of time.
8. No dog that is sick or injured shall be tethered.

**Section 4:** Chapter 98-19 of the Borough of Woodcliff Lake Code is stricken in its entirety and replaced with the following language and shall read as follows:

**Title: 98-19: Prohibited Activities and Treatment.**

- A. No owner, caretaker, guardian or handler shall withhold proper shelter, light, space, protection from weather, veterinary care, and/or immune care from any animal.
- B. No owner, caretaker, guardian or handler shall fail to provide his or her animal with sufficient edible food and potable drinking water on a daily basis. Food and water must be in an animal food consumption or water consumption type container, feeder or waterer.
- C. No animal shall be subjected to unnecessary suffering or cruelty such as subjecting the animal to prolonged confinement, fear, injury, pain or physical abuse.
- D. No animal shall be contained in a parked or standing vehicle or enclosed trailer for a period of fifteen (15) or more minutes when the temperatures are extreme.

**Section 5: Effective Date**

This Ordinance shall take effect upon passage and publication according to law.

Date: \_\_\_\_\_

Approved: \_\_\_\_\_

**Mayor Jeffrey R. Goldsmith**

Attest: \_\_\_\_\_

**DEBORAH DAKIN  
BOROUGH CLERK**

**ORDINANCE NO. 15-09**

**“AN ORDINANCE REMOVING THE USE LIMITATIONS PLACED ON THE OPEN SPACE TRUST FUND IN THE BOROUGH OF WOODCLIFF LAKE”**

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

**WHEREAS**, the Borough of Woodcliff Lake recognizes that the purchase of land in the Borough is a costly undertaking and that the utilization of the funds contained in the Open Space Trust Fund for such purchases are hampered by yearly use limitations; and

**WHEREAS**, the Borough of Woodcliff Lake desires to remove those limitations and permit the Mayor and Council to consider the purchase of lands for the preservation, use, and enjoyment of the citizens of the Borough of Woodcliff lake without such hindrances

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

**Section 1:** Any yearly use limitations imposed upon the Open Space Trust Fund are repealed and it is left to the discretion of the Borough Mayor and Council to purchase prosperities without the hindrance of a price cap.

**Section 2: Effective Date**

This Ordinance shall take effect upon passage and publication according to law.

Attest: \_\_\_\_\_

**DEBORAH DAKIN  
BOROUGH CLERK**



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

**Resolution No. 15-191**

**August 10, 2015**

**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 7/15/2015 - \$224,929.72

Payroll Released 7/31/2015 - \$195,888.52

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

Current Fund:	\$ 2,660,814.76
Animal Control:	\$ 33.00
Trust/Other:	\$ 341.60
Capital:	\$ 530,487.70
Escrow:	\$ 5,080.49

### **ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso,  
Mr. Rendo

Nays: None

Abstain: None

Absent: None

### **CERTIFICATION OF FUNDS**

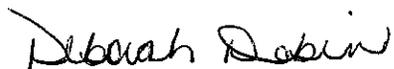
I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.

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Harold Laufeld  
Chief Financial Officer

**CERTIFICATION**

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of August 10, 2015.



---

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING A ONE-TIME STIPEND FOR CHRIS BEHRENS FOR RECEIVING HIS STATE LICENSE AS A CERTIFIED RECYCLING PROFESSIONAL

Resolution No. 15-192

August 10, 2015

**WHEREAS**, pursuant to Borough policy, employees that obtain job-related certification that are mandated by the State, or required by the Borough shall receive a one-time award as enumerated in the Employee Handbook; and

**WHEREAS**, obtaining a license as a Certified Recycling Professional calls for an award of \$500.00; and

**WHEREAS**, Chris Behrens successfully completed the course work necessary and has received his state license as a Certified Recycling Professional; and

**NOW THEREFORE, BE IT RESOLVED**, that Chris Behrens shall receive a one-time stipend of \$500.00 for receiving his state license as a Certified Recycling Professional.

### ROLL CALL:

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

### 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 10, 2015.

DEBORAH DAKIN  
BOROUGH CLERK

**CERTIFICATION OF FUNDS**

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

---

Harold Laufeld  
Chief Financial Officer



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977

Fax 201-391-8830

## RESOLUTION AUTHORIZING LKM CONSULTING TO UNDERTAKE A SHARED SERVICES FEASIBILITY STUDY BOROUGH OF WOODCLIFF LAKE

### RESOLUTION NO. 15-193

August 10, 2015

**WHEREAS**, the Borough of Woodcliff Lake has identified the possible benefits of entering into a shared services arrangement with the Borough of Hillsdale for the operations and management of the Department of Public Works; and

**WHEREAS**, a feasibility study is necessary before entering into such agreement; and

**WHEREAS**, on July 30, 2015 LKM Consulting has provided a proposal to perform a shared services feasibility study of the Department of Public Works operations and management for the Boroughs of Woodcliff Lake and Hillsdale; and

**WHEREAS**, the Borough of Woodcliff Lake has determined that LKM Consulting possesses the necessary skills and experience to perform such study; and

**WHEREAS**, said contract can be awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 19:44A-20.4 et. seq.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and LKM Consulting based upon their July 30, 2015 proposal to perform a shared services feasibility study of the Department of Public Works operations and management for the Boroughs of Woodcliff Lake and Hillsdale.

#### **ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

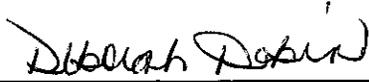
Nays: None

Abstain: None

Absent: None

**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 10, 2015.

A handwritten signature in black ink that reads "Deborah Dakin". The signature is written in a cursive style with a horizontal line underneath it.

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING RAFFLE LICENSE TO OPEN DOORS AN AMAZING GRACE FOUNDATION

August 10, 2015  
RESOLUTION NO. 15-194

**WHEREAS**, application has been made by Open Doors an Amazing Grace Foundation for a Tricky Tray and a 50/50 raffle to be held at One Old Mill Road, Woodcliff Lake, New Jersey on August 23, 2015; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the application of Open Doors An Amazing Grace Foundation is hereby approved and the Borough Clerk is authorized to issue Raffle License RA15-08 and RA15-09.

### **ROLL CALL:**

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

### **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 10, 2015.

---

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING A ONE-TIME STIPEND FOR DEBORAH DAKIN FOR RECEIVING HER STATE LICENSE AS A REGISTERED MUNICIPAL CLERK

### Resolution No. 15-195 August 10, 2015

**WHEREAS**, pursuant to Borough policy, employees that obtain job-related certification that are mandated by the State, or required by the Borough shall receive a one-time award as enumerated in the Employee Handbook; and

**WHEREAS**, obtaining a license as a Registered Municipal Clerk calls for an award of \$1,000.00; and

**WHEREAS**, Deborah Dakin successfully completed the course work necessary and has received her state license as a Registered Municipal Clerk; and

**NOW THEREFORE, BE IT RESOLVED**, that Deborah Dakin shall receive a one-time stipend of \$1,000.00 for receiving her state license as a Registered Municipal Clerk.

#### **ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

#### **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 10, 2015.

DEBORAH DAKIN  
BOROUGH CLERK

**CERTIFICATION OF FUNDS**

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

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Harold Laufeld  
Chief Financial Officer



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION PROHIBITING PARKING ON OVERLOOK DRIVE IN THE BOROUGH OF WOODCLIFF LAKE

### RESOLUTION NO. 15-196

August 10, 2015

**WHEREAS**, upon the advice of the Chief of Police and in response to residential complaints, the Borough of Woodcliff Lake has determined the need to prohibit parking on Overlook Drive.

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

1. Parking is prohibited at all times on both sides of the street of Overlook Drive.

**BE IT FURTHER RESOLVED** that the appropriate signage shall be affixed where required by Department of Transportation regulation as soon as possible.

#### **ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

#### **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 10, 2015.

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION PROMOTING CHAD MALLOY TO SERGEANT WITH THE WOODCLIFF LAKE POLICE DEPARTMENT IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 15-197

August 10, 2015

**WHEREAS**, it is the recommendation of Chief of Police Anthony Jannicelli that P.O. Chad Malloy be promoted to the rank of Sergeant with the Woodcliff Lake Police Department; and

**WHEREAS**, the Mayor and Council of Borough of Woodcliff Lake have determined that P.O. Chad Malloy possesses the necessary skills and experience to hold the position of Sergeant with the Woodcliff Lake Police Department.

**NOW THEREFORE, BE IT RESOLVED**, that Chad Malloy is promoted to the rank of Sergeant with the Woodcliff Lake Police Department effective immediately in accordance with the terms and schedules contained within the governing Collective Bargaining Agreement, the polices of the Borough of Woodcliff Lake and the laws of the State of New Jersey.

### ROLL CALL:

Introduction: Mr. Bloom

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

### 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 10, 2015.

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING SOLICITORS LICENSE TO JEFFREY STILES

August 10, 2015  
Resolution No. 15-198

**WHEREAS**, Jeffrey Stiles of Newlife Sales has applied to the Borough Clerk's Office for a solicitor's license to promote creative safety products; and

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

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

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake authorize the Borough Clerk to issue a solicitors licenses to Jeffrey Stiles.

### ROLL CALL:

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

### 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 August 10, 2015.

DEBORAH DAKIN  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

**RESOLUTION AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, RECREATION,  
FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND – OPEN SPACE  
ACQUISITION GRANT APPLICATION**

201-391-4977

Fax 201-391-8830

**RESOLUTION NO. 15-199**

**AUGUST 10, 2015**

**WHEREAS**, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides grants to municipal governments for assistance in the acquisition of lands for open space conservation parkland purposes and outdoor recreation facilities; and

**WHEREAS**, the Borough of Woodcliff Lake desires to further the public interest by obtaining a grant of from the County Trust Fund to fund the following project: Galaxy Garden Property Acquisition (Tax Block 1402 Lot 7); and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake has reviewed the County Trust Fund Program Statement, the County Program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and

**WHEREAS**, as part of the application process, the Mayor and Council of the Borough of Woodcliff Lake has held a public hearing on August 10, 2015 to receive comments prior to the submission of said application; and

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

**WHEREAS**, the Borough of Woodcliff Lake is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project; and

**WHEREAS**, if the Borough of Woodcliff Lake is successful in acquiring said project through the use of a County Trust Fund grant, then the applicant will permanently preserve said project for open space conservation and/or outdoor recreation purposes though a recorded deed of easement.

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

1. That it is hereby authorized to submit the above completed project application to the County by this year’s deadline established by the County; and

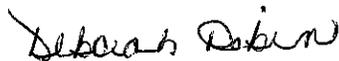
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

**ROLL CALL:**

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

**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 forgoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at a meeting held on August 10, 2015.



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Deborah Dakin, RMC, CMR  
Municipal Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSTEIN, Mayor

**RESOLUTION AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE,  
RECREATION, FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST  
FUND – HISTORIC PRESERVATION GRANT APPLICATION**

201-391-4977

Fax 201-391-8830

**RESOLUTION NO. 15-200**

**AUGUST 10, 2015**

**WHEREAS**, the Bergen County Historic Preservation Trust Fund of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund provides grants to non-profit organizations and other public entities for assistance in the preservation of historic buildings, districts, and sites; and

**WHEREAS**, the Borough of Woodcliff Lake, County of Bergen, State of New Jersey is the property owner of the Westervelt Lydecker House (Tax Block 1401, Lot 2); and

**WHEREAS**, the Westervelt Lydecker House is currently classified as a historic building and is listed on both the State and National Registers of Historic Places; and

**WHEREAS**, the Borough of Woodcliff Lake wishes to apply for and obtain funding through this grant program in order to complete preservation planning, contract document development, code analysis other planning activities related to the preservation of the Westervelt-Lydecker House; and

**WHEREAS**, the aforesaid project is in the best interest of the people of the Borough of Woodcliff Lake.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake hereby authorizes the submission of such a grant.

**BE IT FURTHER RESOLVED**, that upon the receipt of a grant award, the Mayor and Clerk are hereby authorized to sign the grant award agreement on behalf of the Borough of Woodcliff and that their signature constitutes acceptance of the terms and conditions of the grant award agreement and approves the execution of the grant award agreement.

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake hereby confirms endorsement of the aforesaid.

**ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

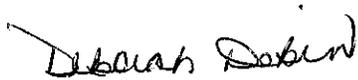
Nays: None

Abstain: None

Absent: None

**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 forgoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at a meeting held on August 10, 2015.



---

Deborah Dakin, RMC, CMR  
Municipal Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – CHAPTER 159 – N.J.S.A. 40A:4-87 – CLEAN COMMUNITITES

### RESOLUTION NO. 15-201

August 10, 2015

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

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

**NOW, THEREFOR BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the 2015 Budget in the sum of \$ 14,906.13 which is now available from Clean Communities Program.

**BE IT FURTHER RESOLVED**, that a like sum of \$ 14,906.13 is hereby appropriated under the caption.

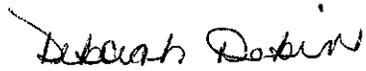
General Appropriations  
Operations Excluded from CAPS  
State and Federal Programs Offset by Revenues  
Clean Communities Program

### **ROLL CALL:**

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

**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 forgoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at a meeting held on August 10, 2015.



---

Deborah Dakin, RMC, CMR  
Municipal Clerk



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AWARDING THE SALE OF COLLECTED CLOTHING CONTRACT IN THE BOROUGH OF WOODCLIFF LAKE

### RESOLUTION N. 15-202

August 10, 2015

**WHEREAS**, the Borough of Woodcliff Lake has identified the benefits of offering for sale its collected used clothing; and

**WHEREAS**, the Borough of Woodcliff Lake Recycling Coordinator has identified the corporation of **USAGAIN** as having the expertise, equipment and experience necessary to perform this service for the Borough; and

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

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and **USAGAIN**, for the purchase of collected recyclable clothing of Borough of Woodcliff Lake and permits the installation of a collection bin to be installed in the appropriate location of Borough property.

#### **ROLL CALL:**

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

#### **CERTIFICATION**

I, Deborah Dakin, Acting Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of August 10, 2015.

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977

## RESOLUTION APPOINTING TOMAS J. PADILLA AS BOROUGH ADMINISTRATOR FOR THE BOROUGH OF WOODCLIFF LAKE

fax 201-391-8830

### RESOLUTION NO. 15-203

August 10, 2015

**WHEREAS**, there exists a need to have a Borough Administrator in the Borough of Woodcliff Lake, County of Bergen, State of New Jersey; and

**WHEREAS**, the Mayor and Council of the Borough of Woodcliff Lake have identified Tomas J. Padilla as having the knowledge and experience to perform such task; and

**WHEREAS**, an agreement outlining the terms of employment between the Mayor and Council of the Borough of Woodcliff Lake and Tomas J. Padilla has been prepared; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the awarding of contracts for professional services without competitive bids and provides that the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute, and the Borough Clerk to attest, an agreement between the Borough of Woodcliff Lake and Tomas J. Padilla as Borough Administrator setting forth compensation, terms and conditions regarding the appointment of Borough Administrator.

**BE IT FURTHER RESOLVED**, that a copy of the within resolution together with a copy of the Agreement be on file in the Office of the Borough Clerk and be available for public inspection during regular business hours and pursuant to the laws of the State of New Jersey, County of Bergen and Borough of Woodcliff Lake.

#### **ROLL CALL:**

Introduction: Mr. Rendo

Second: Mrs. Gadaleta

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

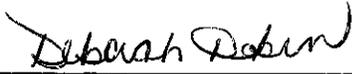
Nays: None

Abstain: None

Absent: None

**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 10, 2015.



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

BOROUGH OF WOODCLIFF LAKE  
CAPITAL BUDGET AMENDMENT

Resolution 15-204

Whereas, the local capital budget for the year 2015 was adopted on the 22nd day of June, 2015; and,

Whereas, it is desired to amend said adopted capital budget section,

Now, Therefore Be It Resolved, by the Governing Body of the Borough of Woodcliff Lake, County of Bergen that the following amendment(s) to the adopted capital budget section of 2015 be made:

RECORDED VOTE	(	ABSTAIN
(Insert last names)	(	
	AYES	(
	NAYS	(
	(	ABSENT
	(	(
	(	(
	(	(

*Carrodo Baygiovine*  
*ERIC BLOOM*  
*Janine Chiavelli*  
*Jacqueline Gadejeto*  
*Thomas Panso*  
*Carles Rando*

FROM  
CAPITAL BUDGET (Current Year Action)  
2015

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR					6 TO BE FUNDED IN FUTURE YEARS
				CURRENT YEAR 2015					
				5a 2015 Budget Appropriations	5b Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Acquisition of Fire Truck		\$ 615,000			\$ 30,750			\$ 584,250	
TOTAL ALL PROJECTS	\$ -	\$ 615,000	\$ -	\$ -	\$ 30,750	\$ -	\$ -	\$ 584,250	\$ -

3 YEAR CAPITAL PROGRAM 2015 - 2017  
Anticipated Project Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR						
				Budget Year 2015	2016	2017	2018	2019	2020	
Acquisition of Fire Truck		\$ 615,000		\$ 615,000	-	-	-	-	-	-
TOTALS ALL PROJECTS	\$ -	\$ 615,000	\$ -	\$ 615,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

3 YEAR CAPITAL PROGRAM 2015 - 2017  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2015	Future Years				General	Self Liquidating	Assessment	School
Acquisition of Fire Truck	\$ 615,000			\$ 30,750			\$ 584,250			
TOTAL ALL PROJECTS	\$ 615,000	\$ -	\$ -	\$ 30,750	\$ -	\$ -	\$ 584,250	\$ -	\$ -	\$ -

TO  
CAPITAL BUDGET (Current Year Action)  
2015

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2015 Budget Appro- priations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2015				
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years
Acquisition of Fire Truck		\$ 600,000			\$ 30,000			\$ 570,000	
Acquisition of Refuse Body for Dump Truck		70,000				70,000			
TOTALS ALL PROJECTS	\$ -	\$ 670,000	\$ -	\$ -	\$ 30,000	\$ 70,000	\$ -	\$ 570,000	\$ -

3 YEAR CAPITAL PROGRAM 2015 - 2017  
Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	Budget Year 2015	2016	5 FUNDING AMOUNTS PER YEAR				
						2017	2018	2019	2020	
Acquisition of Fire Truck		\$ 600,000		\$ 600,000						
Acquisition of Refuse Body for Dump Truck		70,000		70,000						
				-						
				-						
				-						
<b>TOTALS ALL PROJECTS</b>		\$ 670,000		\$ 670,000						

3 YEAR CAPITAL PROGRAM 2015 - 2017  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	7 BONDS AND NOTES			
		Current Year 2015	Future Years				General	Self Liquidating	Assessment	School
Acquisition of Fire Truck	\$ 600,000			\$ 30,000			\$ 570,000			
Acquisition of Refuse Body for Dump Truck	70,000				70,000		-			
							-			
							-			
							-			
<b>TOTALS ALL PROJECTS</b>	\$ -	\$ 670,000	\$ -	\$ 30,000	\$ 70,000	\$ -	\$ 570,000	\$ -	\$ -	\$ -

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 10th day of August, 2015.

Certified by me

August 10, 2015  
(DATE)

Deborah A. Robin  
MUNICIPAL CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING THE TRUST FOR PUBLIC LAND TO NEGOTIATE WITH GALAXY GARDENS FOR PURCHASE OF PROPERTY

**RESOLUTION NO. 15-205**

**August 10, 2015**

**WHEREAS**, the Governing Body of the Borough of Woodcliff Lake has continued to evaluate whether to acquire property identified on the Tax Map of the Borough of Woodcliff Lake (the "Borough") known as Block 1402, Lot 7 and known as "Galaxy Gardens" (the "Property") for open space or similar public purposes; and

**WHEREAS**, by prior Resolutions the Governing Body of the Borough of Woodcliff has authorized certain environmental testing to be done in order to fully assess and delineate the environmental condition of the Property; and

**WHEREAS** the Trust for Public Land ("TPL") is a not for profit organization that provides assistance to communities in obtaining land for open space and conservation purposes; and

**WHEREAS**, the assistance of TPL will be at no cost to the Borough; and

**WHEREAS**, it is in the best interests of the Borough to authorize TPL to assist the Borough in connection with its acquisition of the Property.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake hereby authorize The Trust for Public Land to negotiate on behalf of the Borough with the owner of the Property for the purchase of the Property by the Borough.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake also hereby authorize The Trust for Public Land to research and investigate on behalf of the Borough, the various grants and other potential options for funding the purchase of the Property that may be available to the Borough.

### **ROLL CALL:**

Introduction: Mr. Bloom

Second: Mr. Rendo

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

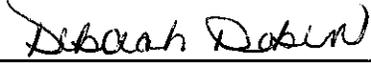
Nays: None

Abstain: None

Absent: None

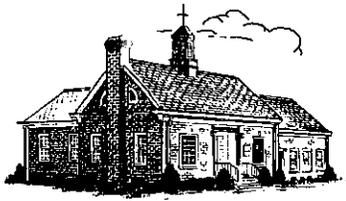
**CERTIFICATION**

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 10, 2015.



---

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977  
Fax 201-391-8830

**RESOLUTION APPOINTING JOHN WHELAN**  
**AS A PART-TIME FIRE INSPECTOR IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 15-206**

**August 10, 2015**

**WHEREAS**, the Borough of Woodcliff Lake has determined the need to hire a Part-Time Fire Inspector; and

**WHEREAS**, the Borough of Woodcliff Lake has identified a candidate for offer of position, John Whelan; and

**WHEREAS**, the Borough of Woodcliff Lake has determined that John Whelan possesses the necessary skills and experience to hold the position of Part-Time Fire Inspector.

**NOW THEREFORE, BE IT RESOLVED**, that John Whelan is hired as a Part-Time Fire Inspector for the Borough at the rate of \$24.22 per hour.

**ROLL CALL:**

Introduction: Mrs. Gadaleta

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: None

Abstain: None

Absent: None

**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 10, 2015.

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



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GODDARD, Mayor

## RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY A TAX COURT JUDGEMENT FOR THE YEAR 2012 (Appeal # 019591-2012)

201-391-4977  
Fax 201-391-8830

### RESOLUTION NO. 15-207 August 10, 2015

**WHEREAS**, the owners of Block 1803, Lot 6, Lori Rabin, 127 Rose Avenue, Woodcliff Lake, New Jersey was successful in her appeal to the County Tax Board New Jersey and have won a judgment adjusting her assessed value for the years 2013 and 2014; and

**WHEREAS**, this has resulted in their overpaying their property tax for years of 2013 & 2014 in the amount of \$1,519.36; and

**WHEREAS**, she has been awarded this judgment and therefore is entitled to a refund.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$1,519.36 to Lori Rabin c/o Spiotti & Esposito, P.C

Mail check to:  
Spiotti & Esposito, P.C  
271 US Highway 46  
Suite F105-106  
Fairfield, NJ 07004-2471

#### **ROLL CALL:**

Introduction: Mrs. Gadaleta  
Second: Mrs. Chiavelli  
Ayes: Mr. Belgiovine, Mr. Bloom, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo  
Nays: None  
Abstain: None  
Absent: None

#### **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 10, 2015.

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK



# BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, P.O. BOX 8619, WOODCLIFF LAKE, NEW JERSEY 07677

JEFFREY R. GOLDSMITH, Mayor

201-391-4977

201-391-8830

**RESOLUTION AUTHORIZING BOSWELL ENGINEERING TO UNDERTAKE A FEASIBILITY STUDY FOR  
ENCLOSING PORTIONS OF THE BOROUGH POOL TO FACILITATE YEAR ROUND USE  
IN THE BOROUGH OF WOODCLIFF LAKE**

**RESOLUTION NO. 15-208**

**August 10, 2015**

**WHEREAS**, the Borough of Woodcliff Lake has identified the possible benefits of enclosing portions of the Borough Swim Pool to facilitate year round use; and

**WHEREAS**, a feasibility study ("Study") is necessary before considering such project; and

**WHEREAS**, on August 4, 2015 Boswell Engineering has provided a proposal to undertake the study; and

**WHEREAS**, the Phoenix Swim Club wishing to partner with the Borough in this venture has agreed to pay for half the cost of the study, the study shall not exceed \$9,500 and the Boswell Engineering has 90 days to provide the Borough with the study; and

**WHEREAS**, said contract can be awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law pursuant to N.J.S.A. 19:44A-20.4 et seq.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodcliff Lake authorizes the execution of the contract between the Borough and Boswell Engineering based upon their August 4, 2005 proposal to perform a feasibility study to enclose portions of the Borough Swim pool to facilitate year round use.

**ROLL CALL:**

Introduction: Mr. Belgiovine

Second: Mrs. Chiavelli

Ayes: Mr. Belgiovine, Mrs. Chiavelli, Mrs. Gadaleta, Mr. Panso, Mr. Rendo

Nays: Mr. Bloom

Abstain: None

Absent: None

**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 10, 2015.

*Deborah Dakin*

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



**ENGINEER'S REPORT  
BOROUGH OF WOODCLIFF LAKE  
August 10, 2015**

Joseph E. Neglia, PE, PP, PLS  
CEO, Chairman of the Board

Michael J. Neglia, PE, PP, PLS  
President

Gregory Polyniak, PE, PP

Michael F. Berliner

Thomas R. Solfaro, PE, CME

Daniel Kaufman, PE, PP

Brian Intindola, PE

Civil Engineering

Municipal Engineering

Landscape Architecture

Traffic Engineering

Planning

Land Surveying

Construction Management

**Locations:**

■ 34 Park Avenue  
P.O. Box 426  
Lyndhurst, NJ 07071  
Tel: 201.939.8805  
Fax: 201.939.0846

■ 1119 Raritan Road  
Suite 2  
Clark, NJ 07066  
Tel: 732.943.7067  
Fax: 732.943.7249

[www.negliaengineering.com](http://www.negliaengineering.com)

**Our file: WDLAADM15.001**  
**Project: 2015 Municipal Road Paving Program**  
**Start Date: To be Determined**  
**End Date: To be Determined**  
**Budget Cost: \$345,000.00**  
**Budget Status: Bid Opening scheduled September 3, 2015**

The Borough of Woodcliff Lake is no longer participating in the Pascack Valley Cooperative Pricing Road Paving Program. Instead, public bidding of this year's road resurfacing and curb repairs will be coordinated by the office of Neglia Engineering. Our office provided the Borough with a proposal for Survey, Design, Bidding, and Construction Management services at the June 22<sup>nd</sup> Council meeting for initial discussion. This proposal was awarded at the July 13<sup>th</sup> Council meeting. The 2015 Municipal Road Program anticipates a project construction budget of approximately \$345,000.

The Borough has determined that portions of Olde Woods Lane and Wyandemere Drive are to be resurfaced under separate project management of the Department of Public Works with an approximate budget of \$17,400.

Initial assessment of the roads was undertaken by Neglia Engineering Associates and the Department of Public Works to establish project estimates and prioritize the roads to be included in the Base Bid of the 2015 Municipal Road Program. The Base Bid has been identified as Wright Street, Wright Street North, Wright Street South, Hathaway Drive, Carnot Drive, Old Mill Road, Natmark Court, Orchard Street, and Angela Court.

Additionally, a secondary grouping of roads was assessed for potential inclusion in this year's road program in the event that competitive bid pricing permit their inclusion; Daniel Court, Fern Street, Balsam Road, and Wildwood Road.

Construction plans and specifications were completed on Friday, August 7<sup>th</sup> and submitted to the Borough Council for review. The project estimates indicate that the Base Bid will be within range of the \$345,000 project budget. As such, Daniel Court has been identified as Alternate Bid 'A' while Fern Street and Balsam Road has been identified as Alternate Bid 'B'. Wildwood Road has been excluded from this year's road program due to funding limitations.

Final discussion of the project scope and bid structure will occur at the Monday, August 10<sup>th</sup> Council meeting. The Borough Clerk has advertised the Bid Notice with the local newspapers and Contractor Pickup is scheduled for Wednesday, August 12<sup>th</sup>. The Bid Opening is scheduled for Thursday, September 3<sup>rd</sup>.

NEA has also identified Harriet Drive and Woodland Drive for continued development of NJDOT Municipal Aid Grant applications and Discretionary Aid Fund consideration to maximize road improvements within the Borough through State funding opportunities. Woodcliff Avenue and Werimus Road have also been identified for coordination of Bergen County Paving consideration to maximize road improvements within the Borough through County funding opportunities.



Engineer's Report  
August 10, 2015  
Page 2 of 6

**Our file:** WDLAADM15.001  
**Project:** Bear Brook & Glen Road Erosion Repairs  
**Start Date:** To Be Determined  
**End Date:** To Be Determined  
**Budget Cost:** To Be Determined  
**Budget Status:** To Be Determined

On July 16<sup>th</sup> Construction Code Official, Nick Saluzzi, was notified by Park Ridge Borough Clerk, Kelley O'Donnell, that severe erosion was observed on the Bear Brook directly upstream from 38 Glen Road in the Borough of Woodcliff Lake. This observation was made by Park Ridge Borough Engineer, Eve Mancuso, P.E., while responding to a complaint from the property owner at 27 Glendale Road in the Borough of Park Ridge. Her concern is that this area of the bank is adjacent to Glen Road and any further deterioration or erosion would severely impact the structural integrity of Glen Road.

On Wednesday, August 5<sup>th</sup> a joint site inspection was performed by Neglia Engineering, Nick Saluzzi, and Councilman Belgiovine on behalf of the Borough of Woodcliff Lake with Peter Wayne (DPW Supervisor) and Mrs. Mancuso on behalf of the Borough of Park Ridge. Severe erosion of the stream bank was observed between the private property at 38 Glen Road and a Borough stormwater outfall 200-300 feet upstream. The erosion was observed to have compromised the embankment of the elevated Glen Road at this location.

Also observed was the significant transport of sediments and large quantities of both rip rap and river stone by previous flood waters from their upstream origin through the subject area, residential properties at 38 Glen Road (Woodcliff Lake) and 27 Glendale Road (Park Ridge), and to the existing bridge culvert over the Bear Brook west of the intersection of Glen Road and Glendale Road. As such, Mrs. Mancuso suggested coordination of a joint stream restoration project between Boroughs. Park Ridge intends to perform minor de-silting and de-snagging to remove accumulated river stone for the diverted portion of the stream adjacent to 27 Glendale Road to normalize the channel back to its prior cross-section. She also suggested that the Borough do the same for the diverted portion of the stream adjacent to 38 Glen Road while addressing the critical concern of the severely eroded embankment upstream.

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

Our office recommends that the Borough address the severe erosion that has compromised the embankment of the elevated Glen Road at this location immediately. Working with Park Ridge on a joint project will provide cost savings in both NJDEP Permitting as well as construction.



Engineer's Report  
August 10, 2015  
Page 3 of 6

**Our file:** WDLAMUN13.011  
**Project:** 77 Brookview Drive Drainage Repairs  
**Start Date:** To Be Determined  
**End Date:** To Be Determined  
**Budget Cost:** \$107,000.00  
**Budget Status:** To Be Determined

On February 1, 2013 a site visit was performed at the above referenced address in response to a resident complaint and to evaluate damage that occurred to a drainage outfall that is apparently owned by the Borough. The site visit was performed with former Borough Administrator Wolfgang Albrecht, Superintendent of Public Works David Antoine, and this office. In response, NEA developed a preliminary estimate of the repair work to be as follows:

- Construction (head wall and repair)	\$ 75,000.00
- Engineering and permitting	<u>\$ 20,000.00</u>
	\$ 95,000.00
- If NJDEP requires a stream study add	<u>\$ 12,000.00</u>
	\$107,000.00

On March 11, 2013 a second site visit was performed with Park Ridge Water and Sewer representatives William Beattie, Director of Operations, and William Hahn, General Supervisor. This meeting was held on-site to discuss the potential reductions in engineering and permitting costs for both entities by coordinating a joint project. Park Ridge Water and Sewer was supportive of this proposal as both sides indicated that the close proximity of the damaged outfall and exposed utility crossing will, at minimum, require the coordination of design drawings as not to adversely affect the adjacent repair.

On May 15, 2013 an on-site meeting was held with the homeowner Peter Goldsmith, former Borough Administrator Wolfgang Albrecht, and our office. The project status was discussed and the property owner was notified that the Borough has made proper appropriations in the FY2013 municipal budget to address this issue in conjunction with Park Ridge Water and Sewer's utility repair.

In late August, 2014 Park Ridge Water and Sewer indicated that an appropriation of funds for this project is now being made to address this repair as soon as practicable. Further coordination with Park Ridge Water and Sewer in May, 2015 indicates that they are prepared for design and bidding of the required water system repairs. In an effort to provide cost savings for both municipalities, Park Ridge Water is amenable to the preparation of permitting and bid documents for a collaborative project to be publicly bid as a joint project. NEA will coordinate a project meeting between the Borough and Park Ridge Water to identify the exact scope of both repairs for the purposes of providing a design and bid proposal for this collaborative effort. Coordination will then be made with the homeowner to review their proposed bank stabilization project to provide permitting assistance at the request of the Borough.



Engineer's Report  
August 10, 2015  
Page 4 of 6

**Our file:** WDLAMUN13.017  
**Project:** Old Mill Recreation Complex Improvements (Bleachers & Walkway)  
**Start Date:** July 28, 2014  
**End Date:** December 3, 2014  
**Contract:** \$78,702.00 (Bid Award)  
\$92,847.00 (Amended +17.97% by Change Order #1)  
\$90,847.00 (Amended -2.15% by Change Order #2 & Final)  
**Budget Status:** \$90,847.00 (Payment Voucher #4 & Final, +15.43% overall increase)

The Borough of Woodcliff Lake has received a grant from the Bergen County Open Space Trust Fund for improvements at the Old Mill Recreation Complex. This grant is in the amount of \$20,525 with an anticipated match by the Borough's Open Space Fund and contributions from the Woodcliff Lake Baseball Association for the remainder of project costs.

The third Bid Opening for this project was held on July 9<sup>th</sup> at Borough Hall. The lowest of five (5) bids received was submitted by Trino Associates, LLC of Paramus, NJ in the amount of Seventy-Eight Thousand Seven Hundred and Two Dollars and Zero Cents (\$78,702.00) representing the total sum of Base Bid and Alternate Bid #1. Award of contract to Trino Associates, LLC was approved by the Council through Resolution at the July 14<sup>th</sup> meeting of Mayor and Council. Construction management of this project was also awarded to our office at this meeting.

The pre-construction meeting was held on July 25<sup>th</sup> at Borough Hall. The Contractor began construction on July 28<sup>th</sup> with tree removal, demolition of the existing bleachers and railroad tie wall, and excavations for construction of the new modular block retaining wall. Construction of the wall was completed within a week. A site meeting was held on August 7<sup>th</sup> to coordinate an additional bleacher unit to be purchased and installed at Lockwood Field through additional funding by the Baseball Association. The new bleacher unit and additional concrete quantities were accommodated by Change Order #1. Concrete sidewalks and bleacher pads were installed the week of August 11<sup>th</sup>. The new bleacher units were ordered the first week of August and were delivered in mid-September.

The Contractor coordinated with NEA's resident landscape architect regarding delivery and planting of all landscaping. Shrubs were delivered and planted mid-October. Two sycamore trees, for in-kind replacement of a mature sycamore which was removed during the project, were planted on Wednesday, November 19<sup>th</sup>.

Project closeout documents were prepared upon completion of the punch list by the Contractor and submitted to the Borough for processing at the December 15<sup>th</sup> Council Meeting.

During the week of March 30<sup>th</sup>, NEA made inspection of the project area to identify any issues that may have arose from potential frost heave and thawing conditions after the heavy winter. There were no issues identified during the inspection and all pedestrian sidewalk areas were confirmed as handicap accessible compliant. NEA has processed grant reimbursement forms with the Borough and submitted to Bergen County Open Space for final reimbursement the week of May 4<sup>th</sup>. Full reimbursement of the \$20,525 grant is anticipated.



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**Our file:** WDLAMUN13.016  
**Project:** Woodcrest Drive Cul-de-sac Drainage Issue  
**Start Date:** To be Determined  
**End Date:** To be Determined  
**Budget Cost:** To be Determined  
**Budget Status:** To be Determined

Two separate drainage issues exist at this location;

1. Property maintenance issues with respect to erosion of the existing stream bank.
2. Flooding of the Woodcrest Drive cul-de-sac and front yards of aforementioned properties during large rainfall events.

In regards to property maintenance, both properties abutting the stream are experiencing erosion of the existing stream bank. The most significant erosion takes place at the property north of Woodcrest Drive cul-de-sac. The residents at this property have enlisted the services of a professional engineer to design, permit, and install a retaining wall along the stream bank stabilize their side yard, minimizing its further impact on their property. The residents at the property south of Woodcrest Drive cul-de-sac are experiencing minor erosion of the stream bank. Their property also includes a large low-lying area adjacent to the stream, which commonly floods and remains saturated for extended periods of time.

The second issue is due to the inability of the Woodcrest Drive storm drain network to discharge freely to the stream. The existing outfall for this network discharges at the elevation of the streambed with little or no slope on the pipe. Although this stream does run dry at times, it commonly flows at a depth great enough to fully submerge the outfall during large storm events. As such, the Woodcrest Drive network is unable to discharge freely to the stream without first backing up to an elevation great enough to create the hydraulic pressure required to force water through the discharge pipe. The catch basin upstream of the outfall is less than 2 feet deep, providing little storage within the network before overflowing into the streets causing the cul-de-sac to flood. During large rainfall events this catch basin overflows immediately and floods the entire cul-de-sac to a great extent.

Minor relief of flooding may be attained through dredging operations and normalization of the stream bed and bank performed under an NJDEP permit in combination with reconfiguration of the existing storm drain network outfall. Preliminary scoping by our office estimated survey, engineering, and permitting fees in excess of \$30,000.

NEA has coordinated with the Borough to research alternative measures of flood relief, however no cost effective solution appear to be feasible at this time.



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**Our file:** WDLAADM13.001  
**Project:** Private Pond at 14 Saddle River Road  
**Budget Cost:** Not Applicable / Private Issue

A spillway resides within the County right-of-way and discharges through a culvert under Saddle River Road and directly into Musquapsink Brook. This spillway is operational and in fair condition. The resident and Construction Code Official noted that 15 years ago this pond was approximately 15 feet deep. They also noted that over time the earthen dam separating the upper and lower ponds had eroded significantly, thereby significantly degrading the water quality in the lower pond through the transport of sediments. These sediments were observed in the lower pond at a depth no greater than 5 feet, indicating significant loss of storage within the lower pond since failure of the earthen dam.

Review of the Borough Tax Map indicated that both the upper and lower ponds reside on private property. The lower pond resides within Block 805, Lots 1.01, 1.02, 2, and 7. The upper pond resides within Block 804 Lot 4 and Block 805 Lot 1.02. The failed earthen dam, associated concrete spillway and stone-lined channel resides between Block 805 Lots 1.02 and 1.03.

Our cursory review indicates this is a private issue between property owners in regards to the maintenance of the pond and associated outlet control structure. It is suggested that a review of any prior developer's agreements and deed records for the above referenced properties be made by the Borough Attorney to ensure that at no point prior had title to the earthen dam and associated concrete spillway been transferred into the possession of the Borough.

The Construction Code Official, Nick Saluzzi, informed our office that a resident whose property is adjacent to the pond has been in contact with the Bergen County Mosquito Commission regarding assistance with dredging. The Commission indicated to this resident that they are able to perform the dredging if the Borough and/or residents obtain the necessary permits from NJDEP. Our office has assessed the level of effort required for surveying and permitting of this activity and, as per our original cursory review, have concluded this to be a private issue which falls under the responsibility of the property owners.

Sincerely,  
Neglia Engineering Associates



Joseph R. Vuich, PE  
For the Borough Engineer