

BOROUGH OF WOODCLIFF LAKE

**SINE DIE MEETING MINUTES
MAYOR AND COUNCIL**

January 7, 2013

7:30 p.m.

CALL TO ORDER.

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

Mayor Goldsmith stated that tonight's Sine Die Meeting is bittersweet. He has gotten to know these councilmen by working with them so closely during the last year. They will be missed.

ROLL CALL.

Mayor Jeffrey Goldsmith asked for a roll call. Council members Abene, Bader, Bae, Glaser, Rosenblatt and Struk were present. Attorney Madaio, Administrator Albrecht and Borough Clerk Sciara were also present.

PLEDGE OF ALLEGIANCE.

All present recited the Pledge of Allegiance led by former Freeholder Bernedette McPherson.

APPROVAL OF MINUTES.

RESOLVED, that the Minutes of a **Special Mayor and Council Meeting on December 17, 2012** have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mr. Struk
Second: Mr. Rosenblatt
Ayes: Mrs. Abene, Mrs. Bae, Mr. Glaser, Mr. Rosenblatt, Mr. Struk
Nays: None
Abstain: None
Absent: Mr. Bader

RESOLVED, that the Minutes of an **Executive Closed Session of the Mayor and Council on December 17, 2012** have been received by all Councilperson, are hereby approved as presented but not yet ready for release to the public.

ROLL CALL:

Introduce: Mr. Glaser
Second: Mrs. Abene
Ayes: Mrs. Bae, Mr. Struk, Mr. Rosenblatt, Mrs. Abene, Mr. Glaser
Nays: None
Abstain: None
Absent: Mr. Bader

RESOLVED, that the Minutes of a **Regular Mayor and Council Meeting on December 5, 2011** have been received by all Councilpersons, are hereby approved as presented.

ROLL CALL:

Introduce: Mrs. Bae
 Second: Mrs. Abene
 Ayes: Mr. Glaser, Mr. Struk, Mr. Rosenblatt, Mrs. Abene, Mrs. Bae
 Nays: None
 Abstain: None
 Absent: Mr. Bader

STANDING COMMITTEE REPORTS.

Mayor Goldsmith explained to a packed council room that standing committee reports for the year end were given on December 17, 2012. There would be no reports unless any councilmember wished to add to their previous comments.

Mr. Rosenblatt stated that it good to see the "kids" taking over Park and Recreation. Mr. Rosenblatt proudly passes the torch to them.

Mayor Goldsmith reported that the meeting of the Tri-Boro Police Consolidation Study will be on January 24, 2013.

Mrs. Abene reported that Debra Starr Rubenstein has been elected as the Board President of the Woodcliff Lake Board of Education.

Mayor Goldsmith reported that Bert Siegel will be appointed as the Board of Education President to the Pascaek Valley Regional High School District.

The Mayor's year- end report was given on December 17, 2012. Copies are included in the minutes and are available in the Clerk's office.

COUNCIL MEMBER COMMENTS TO OUTGOING COUNCILMAN MICHAEL STRUK

Mrs. Bae thanked Mr. Struk for all he has done for Woodcliff Lake and that he will be VERY missed.

Mrs. Abene stated that it has been her honor and pleasure to serve with him. His humor will be missed and she hopes to see him in the future.

Mr. Rosenblatt stated that this year's election field of candidates were the finest that have ever run for office. It is a testament to the candidates and to Woodcliff Lake. Mr. Rosenblatt thanked Mr. Struk for his hard work.

Councilman John Glaser stated that Mr. Struk is a straight up and down, sincere, mature person, a no nonsense individual which he really appreciated. Even though he hasn't been on the Council for long, Mr. Struk has served very competently. He congratulated him on a job well done.

Mayor Goldsmith stated that typically the honor of presenting the outgoing council members their plaques for their service to the Borough goes to the Council President. Mayor Goldsmith stated that what Mr. Struk told you in private, he told you the same in public. Mr. Struk tried to take the politics out of governing. The Mayor thanked Mr. Struk for his hard work and dedication.

Mr. Struk stated it was quite an experience serving as a councilman. "You put hard work into this position" and he stated "Thank God you don't run this municipality like they do in Washington"

Mrs. Bae stated that she admired Mr. Glaser's incredible knowledge base. She continued that Mr. Glaser has an unconditional love for this town. She thanked him very much for his hard work and his help.

Mrs. Abene stated that Mr. Glaser was the councilperson she worked with the most on Finance and Administration issues. Mr. Glaser taught her a lot. It has been her honor and pleasure to serve with him.

Mr. Rosenblatt stated that he and Mr. Glaser go back a long way. "We have butt heads, but have always been a gentlemen. You are a great person and it is my honor to have served with you".

Mr. Struk stated that he worked with a detective in his police days and he always hoped the detective was never after him. He was the most thorough man he had ever met in his life, and Mr. Glaser is him.

Mayor Goldsmith stated that the true mark of a Council is how we work together. He and Mr. Glaser battled in public and private. He stood his ground for the residents for Woodcliff Lake. The Mayor is sorry to see Mr. Glaser go. "We have been able to get many things done in 2012 because of Mr. Glaser".

Mr. Glaser made his outgoing remarks. He stated that is has been a privilege to serve Woodcliff Lake residents for the last 12 year. It has been challenging, gratifying and sometimes frustrating.

Major projects completed

1. Renovation of the Old Mill. This is the best pool in the County and ranked high in the State.
2. Joint Court with Montvale and Park Ridge has worked well and is a major cooperative success.
3. Affordable Housing. Due to our professionals, staff the Borough built two developments on County Road and on Broadway. Should the State deem the Borough is obligated to build more affordable housing units, property has already been purchased for this possible mandate.
4. The development of the Rink Property could have been problematic. Because of team work, the property has been developed as aged restricted housing with starting price of \$750,000.
5. The last property on Chestnut Ridge Road across from Don's Sunoco is being developed as an assisted living facility.
6. The BMW development was complete and is an attractive, state of the art, world headquarters

Projects still in progress

1. The Pascack Valley Regional High School Funding Formula Equity issue
2. The Tri-Boro Police Consolidation Services Study done by Matrix, Inc.
3. The Rezoning of Broadway to allow housing/retail/office development

Mr. Glaser concluded by wishing the entire governing body success for the New Year.

MAYOR JEFFREY R. GOLDSMITH YEAR-END REPORT.

Mayor Goldsmith stated that he had given his year-end report on December 17, 2012. Copies of his comments are available on-line and at the Clerk's office.

PUBLIC FORUM

Motion to open the meeting to the public was made by Mr. Rosenblatt, second by Mrs. Bae and approved unanimously by voice call vote.

Mayor Higgins, 10 Pond Road stated that she served with John while she was Mayor. "He is a worker bee". Although Mayor Higgins never served with Mr. Struk, as a nurse and a police officer they immediately became friend. She thanked them both for their service to Woodcliff Lake.

Hearing no further comments from the public, motion to close the meeting to the public was made by Mr. Rosenblatt, second by Mrs. Abene and approved unanimously by voice call vote.

CONSENT AGENDA.

Motion to approve the Consent Agenda as presented was made by Mr. Rosenblatt, second by Mr. Glaser.

ROLL CALL:

Introduce: Mr. Rosenblatt
 Second: Mr. Glaser
 Ayes: Mrs. Abene, Mrs. Bae, Mr. Struk, Mr. Glaser, Mr. Rosenblatt
 Nays: None
 Abstain: None
 Absent: Mr. Bader

ADJOURNMENT

Motion to adjourn the Sine Die Meeting was made by Mr. Glaser, second by Mr. Rosenblatt and approved unanimously by voice call vote. The time is 8:00 p.m.

Respectfully submitted,

Lorinda Sciara, RMC/CMC, CMR
 Borough Clerk

CLAIMS AND BILLS.**Authority to Pay Claims.****(Consent Agenda - 1)**

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:	\$	75,424.49
Trust Other Funds	\$	1,667.49
General Capital	\$	1,400.52

Payroll**(Consent Agenda-2)**

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

Payroll released 12/31/12 \$ 186,011.89

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET NO. 017830-2010 & 016060-2011**(Consent Agenda-3)**

WHEREAS, the owners of Block 1107 Lot 3, 3 Sycamore Drive, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2010 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
284,000.00 LAND	284,000.00 LAND
643,200.00 IMPROVEMENTS	540,500.00 IMPROVEMENTS
<u>927,700.00 TOTAL ASSESSMENT</u>	<u>825,000.00 TOTAL ASSESSMENT</u>
20,029.04 TAXES PAID	17,811.75 TAXES

(TAX RATE 2.159 per 100 of assessment) 2010

WHEREAS, this has resulted in their overpaying their property tax for the year 2010 in the amount of \$2217.29 and,

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
284,000.00 LAND	284,000.00 LAND
643,200.00 IMPROVEMENTS	455,500.00 IMPROVEMENTS
<u>927,700.00 TOTAL ASSESSMENT</u>	<u>740,000.00 TOTAL ASSESSMENT</u>
20,752.65 TAXES PAID	16,553.80 TAXES

(TAX RATE 2.237 per \$100 of assessment) 2011

WHEREAS, this has resulted in their overpaying their property tax for the year 2011 in the amount of \$4198.85 and,

WHEREAS, this has resulted in their overpaying their property tax for the year 2010/2011 in the amount of \$6,416.14 and,

TOTAL REFUND FOR 2010/ 2011= \$6,416.14

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$6,416.14 for the years 2010/2011 to the owner of record **MICHAEL & KATHLEEN Loeb c/o Skoloff & Wolfe**

MAIL VOUCHER TO:
Skoloff & Wolfe
293 Eisenhower Pkwy.
Livingston, NJ 07039

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 002223-2011 FOR THE YEAR 2011

(Consent Agenda-4)

WHEREAS, the owners of Block 1109 Lot 4, 94 Blueberry Drive, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
285,300.00 LAND	285,300.00 LAND
870,800.00 IMPROVEMENTS	722,400.00 IMPROVEMENTS
<u>1,156,100.00 TOTAL ASSESSMENT</u>	<u>1,007,700.00 TOTAL ASSESSMENT</u>
25,861.96 taxes paid	22,542.25 taxes

WHEREAS, this has resulted in their overpaying their property tax for the year 2011 in the amount of \$3,319.71 and,

TOTAL REFUND FOR 2011= \$3,319.71

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$3,319.71 for the year 2010 to the owner of record **LOEB, KEITH & SUSAN c/o Skoloff & Wolfe**

MAIL VOUCHER TO:

Skoloff & Wolfe
293 Eisenhower Pkwy.
Livingston, NJ 07039

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 002222-2011 FOR THE YEAR 2011

(Consent Agenda-5)

WHEREAS, the owners of Block 1106 Lot 13, 36 Springhouse Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
244,800.00 LAND	244,800.00 LAND
1,173,500.00 IMPROVEMENTS	980,200.00 IMPROVEMENTS
<u>1,418,300.00 TOTAL ASSESSMENT</u>	<u>1,225,000.00 TOTAL ASSESSMENT</u>
31727.37 taxes paid	27,403.25 taxes

WHEREAS, this has resulted in their overpaying their property tax for the year 2011 in the amount of \$4,324.12 and,

TOTAL REFUND FOR 2011= \$4,324.12

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$4,324.12 for the year 2010 to the owner of record HERZOG, ROBERT & DIANE c/o Skoloff & Wolfe

MAIL VOUCHER TO:

Skoloff & Wolfe
293 Eisenhower Pkwy.
Livingston, NJ 07039

Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement John J. & Lois Totera v. the Borough of Woodcliff Lake Docket No. 006517-2011

(Consent Agenda-6)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block 1701
 Lot 5
 Address 302 Werimus Road

Year 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 303,300	0	\$ 303,300
Improvements	<u>1,124,400</u>	<u>0</u>	<u>\$ 896,700</u>
Total	\$ 1,427,700	0	\$ 1,200,000

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation of the property(ies) they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor to the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the Court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds as a result of this settlement set forth herein shall be paid by refund check, made payable to : Jennifer R. Jacobus, Esq., Attorney for Totera, John J & Lois and forwarded to Jennifer R. Jacobus, Esq, 301 South Livingston Avenue, Livingston, NJ 07039 within sixty (60) days from the date of the entry of the Judgment.
5. The provisions of paragraph 4 and 5 shall survive Judgment even if not included on the Judgment by the Tax Court of New Jersey.

Abene Bader Bae Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement
Sung PI Yoon and Ki Soon Kim v. the Borough of Woodcliff Lake Docket No. 015417-2011
(Consent Agenda-7)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block 105
Lot 5
Address 15 Woodcrest Drive

Year 2011

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land	\$ 232,500	\$ 232,500	\$ 232,500
Improvements	<u>502,100</u>	<u>502,100</u>	<u>\$ 452,500</u>
Total	\$ 734,600	734,600	\$ 685,000

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and/or information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district and with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that this settlement will result in an assessment at the fair assessable value of this property consistent with assessing practices generally applicable in the taxing district as required by law.
4. The parties agree that there has been a municipal-wide revaluation for the tax year 2012, and therefore agree that the provisions of N.J.S.A. 54:51A-8, commonly known as the "Freeze Act," do not apply.
5. As a result of this reduction, a refund shall be issued and no credits shall be applied to future tax payments unless taxes are delinquent. All refunds as a result of this settlement shall be payable to "William S. Winters, Esq." and the taxpayer, 199 Route 18 South, East Brunswick, NJ, 08816. Statutory Interest shall be waived.

Abene Bader Bae Glaser Rosenblatt Struk Goldsmith

Resolution Authorizing Borough Attorney to Sign Tax Court Stipulation of Settlement Sean Charnow, et al v. the Borough of Woodcliff Lake Docket No. 000136-2011

(Consent Agenda-8)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block 2201.02
 Lot 2
 Address 8 Mullholland Drive, Woodcliff Lake, NJ

Year 2010

	Added Assessment	County Board Judgment	Tax Court Judgment
Land	NA	NA	NA
Improvements	\$257,300	\$257,300	\$72,300
	Six months Prorated to \$128,650	Six months	Six months Prorated to \$36,150

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and/or information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into this Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district and with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that this settlement will result in an assessment at the fair assessable value of this property consistent with assessing practices generally applicable in the taxing district as required by law.

4. Plaintiff waives interest on any refund amounts due to it by virtue of this Stipulation of Settlement, other than statutory interest to which it would be entitled in the event the refund of excess taxes paid is not made within sixty (60) days of entry of Judgment.

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 003596-2011 FOR THE YEAR 2011

(Consent Agenda-9)

WHEREAS, the owners of Block 1701 Lot 11, 225 Glen Road, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
280,000.00 LAND	280,000.00 LAND
936,300.00 IMPROVEMENTS	696,900.00 IMPROVEMENTS
<u>1,216,300.00 TOTAL ASSESSMENT</u>	<u>976,900.00 TOTAL ASSESSMENT</u>
27,208.63 taxes paid	21,853.25 taxes

WHEREAS, this has resulted in their overpaying their property tax for the year 2011 in the amount of \$5355.38 and,

TOTAL REFUND FOR 2011= \$5355.38

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$5355.38 for the year 2011 to the owner of record BEATTIE PADAVANO ESQ. C/O SANDBERG STEVAN & DEBORAH

MAIL VOUCHER TO:

BEATTIE PADAVANO ESQ.
50 CHESTNUT RIDGE ROAD
PO BOX 244
MONTVALE, NJ 07645

RESOLUTION AUTHORIZING A REFUND OF OVERPAID TAXES CAUSED BY TAX COURT JUDGEMENT DOCKET 015520-2011 FOR THE YEAR 2011

(Consent Agenda-10)

WHEREAS, the owners of Block 2503 Lot 2, 9 MILL ROAD, Woodcliff Lake N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
223,800.00 LAND	221,000.00 LAND

208,000.00 IMPROVEMENTS
431,800.00 TOTAL ASSESSMENT
 9,659.37 taxes paid

104,000.00 IMPROVEMENTS
325,000.00 TOTAL ASSESSMENT
 7,270.25 taxes

WHEREAS, this has resulted in their overpaying their property tax for the year 2011 in the amount of \$2,389.12 and,

TOTAL REFUND FOR 2011= 2389.12

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment of \$2,389.12 for the year 2011 to the owner of record **BEATTIE PADAVANO ESQ. C/O HESSLER, ERIKA**

MAIL VOUCHER TO:

BEATTIE PADAVANO ESQ.
 50 CHESTNUT RIDGE ROAD
 PO BOX 244
 MONTVALE, NJ 07645

2012 Budget Transfers for January 7, 2012 Sine Die Meeting

(Consent Agenda - 11)

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Tax Assessment - Other Expenses	2-01-20-150-020	9,000.00	
Legal - Other Expenses	2-01-20-155-020		9,000.00
Parks and Recreation - Other Expenses	2-01-28-370-020	800.00	
Parks and Recreation - Salaries and Wages	2-01-28-370-010		800.00
Parks and Recreation - Other Expenses	2-01-28-370-020	22,000.00	
Vehicle Maintenance - Other Expenses	2-01-26-315-020	16,000.00	
Street Lighting	2-01-31-435-000	10,000.00	
Electricity	2-01-31-430-020	22,000.00	
Road Department - Other Expenses	2-01-26-290-020		70,000.00
Building and Grounds - Salaries and Wages	2-01-26-310-010	200.00	
Buildings and Grounds - Other Expenses	2-01-26-310-020		200.00
TOTAL		80,000.00	80,000.00

**Resolution Authorizing a Refund of Overpaid Taxes Caused by a County Board
Judgment for the Year 2012**

WHEREAS, the owners listed below were successful in their appeal to the County Tax Board New Jersey and have won a judgment adjusting their assessed value for year 2012; and

WHEREAS, this has resulted in their overpaying their property tax for year 2012; and

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the CFO be authorized to refund the overpayment listed below:

<u>Block/Lot</u>	<u>Owner</u>	<u>Refund</u>
2801/20	Weite	149.83
1108/6	Piantino	136.64