

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON FEBRUARY 17, 2010**

A Regular Meeting of the Municipal Council of the Borough of Woodland Park was held in the Council Chambers in the Municipal Building, 5 Brophy Lane, on February 17, 2010 and was called to order by Mayor Pat Lepore at 7:00 p.m.

Present: Councilman DiDomenico, Councilman Spinelli, Councilwoman Gatti, Councilwoman Pascrell, Councilman Vargas and Mayor Lepore

Absent: Council President Kazmark

Albert Buglione, Municipal Attorney, was present.

The Mayor stated in accordance with the Open Public Meetings Law P.L. 1975 c.231, notice requirements for this meeting were set forth in the resolution adopted by the Municipal Council at the Reorganization Meeting of January 6, 2010 detailing the time and place, with notice given to the public by posting a copy thereof on the bulletin board in the Municipal Building and transmitting copies to the Mayor, members of the Council, Officers and to The Herald News.

PRESENTATIONS:

Resolution R10-44, a resolution confirming the recommendation of Mayor Lepore and appointing Toni Belford Damiano, Esq. as the Woodland Park Municipal Judge for a three year term commencing February 21, 2010 through February 20, 2013.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, desire to reappoint the Municipal Court Judge to carry forth the proceedings of Woodland Park's Municipal Court; and

WHEREAS, Mayor Pat Lepore, with the advice and consent of the Counsel recommends the appointment of Toni Belford Damiano, Esq., as the Woodland Park Municipal Judge for a three year term commencing February 21, 2010 and expiring February 20, 2013; and

WHEREAS, this recommendation is based on Ms. Belford Damiano's education, which includes a law degree from Pace Law School; her experiences as a teacher, prosecutor, attorney and current Woodland Park Municipal Judge; and her Professional Admissions, which include the Supreme Courts of both New Jersey and Pennsylvania, the United States Court of Appeals, District of Columbia, and the United States Supreme Court;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, confirms the recommendation of Mayor Lepore and appoints Ms. Toni Belford Damiano, Esq., as the Woodland Park Municipal Judge for a three year term commencing February 21, 2010 and expiring February 20, 2013.

Swearing in of the Hon. Toni Belford Damiano as Municipal Court Judge.

The Mayor and Council congratulated Judge Damiano.

BOY SCOUT PROCLAMATION

“February is Boy Scout Month in the USA”

Whereas, the Boy Scouts of America was established February 8, 1910 by William D. Boyce, a group of businessmen, educators and political leaders. Thus, for one-hundred years Boy Scouts of America has created a strong foundation of leadership, service and community for millions of American youth; and

Whereas, the Boy Scouts of America provides a program that builds character, trains Scouts in the responsibilities of participating citizenship and develops personal fitness; and

Whereas, with every rank advancement comes new challenges, new adventures and new friends for Scouts and those Scouters who accompany them along the way; and

Whereas, former Scouts have gone on to become leaders in all fields, including business, education, and government. The values they learned through Scouting have given them the confidence to make ethical choices and to realize their full potential as active and responsible citizens; and

Whereas, the Boy Scouts of America alumni share memories that last a lifetime; and

Whereas, Scouting celebrates its legacy and re-affirms its commitment to inspire and prepare future generations;

Now, therefore, I, Pat Lepore, Mayor, on behalf of the Governing Body, proclaim that the Boy Scouts of America and its local Council, Districts and Packs, as well as their leaders and sponsoring organizations, are honored on this 17th day of February, 2010 for making a difference in and about the Borough of Woodland Park by their dedication to Scouting's core values – leadership, character, community service, achievement and stewardship of the environment

PUBLIC HEARINGS:

Mayor Lepore opened the meeting to the public and asked if anyone wished to be heard.

There being no one wishing to be heard, the Public Hearing was closed.

MINUTES:

Upon Motion by Councilwoman Gatti, seconded by Councilwoman Pascrell, and passed on roll call vote, the Minutes of the Regular Meeting of February 3, 2010 were approved as submitted.

CONFERENCE COMMITTEE REPORTS:

- A. Administration/Finance-Councilwoman Pascrell had no report at this time
- B. Buildings & Grounds/Public Works-Councilwoman Gatti thanked the DPW for the job they did removing the snow from the last storm.
- C. Public Safety-Councilman DiDomenico had no report at this time.
- D. Health/Senior Services-Councilman Spinelli told the Mayor and Council that the Senior Citizen Valentine's Day Dance held on February 13, 2010 was a great success.
- E. Recreation/Community Relations-Council President Kazmark was absent.
- F. Laws/Ordinances-Councilman Vargas had no report at this time.

MAYOR'S REPORT:

The Mayor will be meeting with Berkeley College and County Officials to discuss the straightening of Squirrelwood Road in the section located above Rockland Avenue. The Mayor stated that Kevin Galland, Tom Minnella and George Galbraith met with Public Service regarding an electrical audit of the municipal properties. Public Service suggested that we comply with all the recommendations made in the audit to save on electric costs throughout the Borough.

Mr. Galland made a presentation to the Mayor and Council regarding the electrical changes throughout the Borough recommended by Public Service. A grant from the Federal Government will pay for 80% of the cost. Further, the analysis shows that the Borough will reduce its costs of electricity even while paying the remaining 20% over a twenty-four month period. A discussion was held between Mr. Galland and the Mayor and Council. At the conclusion of the discussion, Mr. Galland requested authorization to proceed with project.

Upon Motion made by Councilwoman Pascrell, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Mayor and Council authorized Mr. Galland to proceed with the project and execute any and all documents related to same.

MUNICIPAL ATTORNEY'S REPORT:

Mr. Buglione had no report at this time.

CONSENT AGENDA:

All matters listed under the Consent Agenda are considered to be routine by the Council and will be enacted by one resolution. The items listed herein will be acted upon after having been read. Any item may be removed from the Consent Agenda by the request of any member of the Mayor and Council, and if so removed, will be acted upon as a separate matter.

- A. Resolution R10-53, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the total of \$5,237.76 for the overpayment of taxes to Robert Casazza and Susan Pappianu, 4 Cliff Road, Unit C-2, Woodland Park and to adjust the books and records accordingly.**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey have been informed by the Tax Collector of the Borough of Woodland Park that an overpayment of taxes, in the amount of \$5,237.76, was made by Robert Casazza and Susan Pappianu, Block 113, Lot 12.01; and

WHEREAS, Susan Pappianu has requested, in writing, that this overpayment be returned to her; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a refund of said overpayment be made to Susan Pappianu;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$5,237.76 for the overpayment of taxes to Robert Casazza and Susan Pappianu; and

BE IT FURTHER RESOLVED that the books and records of the Tax Collector will be adjusted accordingly.

- B. Resolution R10-55, a resolution for the adoption of the Corrective Action Plan for the Budget Year, 2008.**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, finds and declares that N.J.S.A. 40A:5-4 requires the governing body of every local unit to have an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year, and

WHEREAS, the Annual Report of Audit for FY2008 for the Borough of Woodland Park ("Borough") has been filed by the Registered Municipal Account (RMA) with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body of the Borough; and

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

WHEREAS, the Governing Body further finds and declares that the Borough’s Chief Financial Officer has prepared a Corrective Action Plan to address the “Comments and Recommendations” made by the RMA, which are incorporated herein by reference, for the purpose of acting upon and/or implementing the foregoing sections entitled “Comments and Recommendations,” as set forth in the Borough’s Annual Report of Audit for FY2008; and

WHEREAS, all members of the Governing Body have received, reviewed and by way of this resolution approve the Corrective Action Plan for purposes of its implementation;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Woodland Park does hereby adopt the Corrective Action Plan for the FY2008 Audit Report, as prepared and recommended by the Borough’s Chief Financial Officer, and

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Borough of Woodland Park be and is hereby directed to submit a certified copy of this Resolution and the required Affidavit to the Local Finance Board to demonstrate such compliance.

C. Resolution R10-56, a resolution approving the application of Matthew J. Vargas, 72 Bergen Boulevard, Woodland Park, New Jersey to become a West Paterson Volunteer Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Matthew J. Vargas, 72 Bergen Boulevard, Woodland Park, New Jersey and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Matthew J. Vargas to become a West Paterson Volunteer Firefighter.

D. Resolution R10-57, a resolution approving the application of Timothy R. Jozefczyk, 562 Valley Road, Clifton, New Jersey to become a West Paterson Volunteer Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Timothy R. Jozefczyk, 562 Valley Road, Clifton, New Jersey and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Timothy R. Jozefczyk to become a West Paterson Volunteer Firefighter.

E. Resolution R10-59, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$1,626.00 to William S. Winters, Esq., attorney for Chon Il Lee, 35 Wilson Avenue, Woodland Park, as a result of a tax appeal for the years 2004 and 2005.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey have been informed by the Tax Collector of the Borough of Woodland Park that Chon Il Lee, 35 Wilson Avenue, Woodland Park, Block 46, Lot 2, was successful in his tax appeal for the years 2004 and 2005; and

WHEREAS, Chon Il Lee’s assessed taxes have been adjusted by the County; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested that a tax refund be made to William S. Winters, Esq., as attorney for Chon Il Lee, in the amount of \$1,626.00;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector of the Borough of Woodland Park, be and is hereby authorized to refund the amount of \$1,626.00 to William S. Winters, Esq., as attorney for Chon Il Lee, according to the new assessed value of his property; and

BE IT FURTHER RESOLVED, that the Tax Collector of the Borough of Woodland Park, adjust the books and records accordingly.

F. Resolution R10-60, a resolution approving the application of Steven BouDaher, 230 Mt. Pleasant Avenue, Woodland Park to become a West Paterson Junior Volunteer Firefighter based on the recommendation of Chief Paul Salomone.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Steven BouDaher, 230 Mt. Pleasant Avenue, Woodland Park, New Jersey and is seeking approval to become a West Paterson Junior Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Steven BouDaher to become a West Paterson Junior Volunteer Firefighter.

G. Resolution R10-61, a resolution authorizing the use of funds from the Borough’s Open Space Trust Fund Account in an amount of \$37,251.00, to pay for the purchase of a second pavilion to be constructed in Zaccaria Park.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey have determined that there is a need to purchase a second pavilion in Zaccaria Park; and

WHEREAS, said pavilion can be purchased for the amount of \$37,251.00; and

WHEREAS, funds are available from Woodland Park Open Space Trust Fund Account for this type of project; and

WHEREAS, the members of the Borough’s Open Space Committee fully support this work effort and have recommended to the Mayor and Council that funds from the trust, in an amount not to exceed \$37,251.00, be used to purchase this pavilion;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, do hereby authorize the use of funds from the Borough's Open Space Trust Fund in an amount not to exceed \$37,251.00, to pay for the purchase of a pavilion in Zaccaria Park.

H. Resolution R10-62, a resolution authorizing the purchase of a second pavilion for Zaccaria Park from Mid Atlantic Park and Playground Concepts (A59050), P.O. Box 710, Tunkhannock, PA 18657, under New Jersey State Contract T-0103 in an amount not to exceed \$37,251.00.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to purchase a pavilion for Zaccaria Park; and

WHEREAS, this purchase is exempt from public bidding since the equipment is available under New Jersey State contract (T-0103 – Park and Playground Equipment and Parts) from Mid Atlantic Park and Playground Concepts (A59050), P.O. Box 710, Tunkhannock, PA 18657; and

WHEREAS, the Woodland Park Chief Financial Officer has certified that funds are available for this expenditure (N.J.S.A. 5:30-5.1 et seq.) from the Woodland Park Open Space Trust Account;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, do hereby authorize the purchase of a pavilion for Zaccaria Park from Mid Atlantic Park and Playground Concepts (A59050), P.O. Box 710, Tunkhannock, PA 18657, under New Jersey State Contract T-0103 in an amount not to exceed \$37,251.00.

I. Resolution R10-63, a resolution giving consent to the Tax Collector of the Borough of Woodland Park to issue duplicate Tax Sale Certificates to M&D Associates, P.O. Box 196, Hawthorne, New Jersey in the amounts of \$5,272.03 and \$,214.67.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey are in receipt of a request from the Tax Collector of the Borough of Woodland Park to issue duplicate Tax Sale Certificates to M&D Associates, P.O. Box 196, Hawthorne, New Jersey; and

WHEREAS, the original Tax Sale Certificates had been filed with the County of Passaic who advised M&D Associates that said Certificates had been misplaced by them; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has the authority to issue duplicate Tax Sale Certificates with the consent, by resolution, of the Mayor and Council;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby gives consent to the Tax Collector of the Borough of Woodland Park to issue duplicate Tax Sale Certificates to M & D Associates, P.O. Box 196, Hawthorne, New Jersey in the amounts of \$5,272.03 and \$4,214.67.

J. Resolution R10-64, a resolution to approve the actions noted in the Consent Agenda, items A. through I., be and are hereby approved and the proper officers are directed to take necessary action on same.

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, that the actions noted in the Consent Agenda, items A. through I. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Upon Motion made by Councilman Spinelli, and seconded by Councilman Pascrell, the foregoing resolution was unanimously adopted on roll call vote.

COLLECTOR/TREASURER REPORT:

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilwoman Pascrell, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 02/11/10 totaling \$1,993,413.45.

DEPARTMENT REPORTS:

1. Police Report for January, 2010.
2. Police Report (Junk Titles) for January, 2010.
3. Fire Prevention Report for January, 2010.
4. Fire Department Activity Report for January, 2010.
5. Fire Extinguisher Inspection Report for January, 2010.
6. Fire Extinguisher Inspection Report for February, 2010.
7. Planning Board Minutes for January 11, 2010.
8. Planning Board Resolution.
9. Library Minutes for January 25, 2010.
10. Finance Department - Summary Budget Status Report for 2/11/10.

OLD BUSINESS:

A. Public Hearing on Ordinance No. 10-02, an Ordinance to regulate fees and deposits for the Board of Health/Vital Statistics.

Upon a Motion made by Councilman DiDomenico, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened on Ordinance No. 10-02.

With no one wishing to be heard, upon a Motion made by Councilwoman Gatti, seconded by Councilman Spinelli and passed on roll call vote, the public hearing was closed.

B. Resolution R10-58 Adoption of Ordinance 10-02 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey desires to adopt an ordinance to regulate fees and deposits for the Board of Health/Vital Statistics; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated February 6, 2010, setting the date of February 17, 2010 for the public hearing and consideration for final passage; and

WHEREAS, a copy of the ordinance was posted on the Borough's official bulletin board and copies were made available to all those desiring same; and

WHEREAS, in compliance with State Statute, a public hearing on the above referenced ordinance was conducted on February 17, 2010 at the regular meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled Ordinance 10-02 an ordinance to regulate fees and deposits for the Board of Health/Vital Statistics be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk be and he is hereby authorized and directed to publish said Ordinances according to law.

By a Motion made by Councilman Spinelli, seconded by Councilman DiDomenico and passed unanimously by roll call vote, Ordinance 10-02 was adopted.

Said Ordinance 10-02 has been written out in the Minutes of the February 3, 2010 meeting.

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There being no further business to come before the Council, upon Motion by Councilman Spinelli, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor