

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON OCTOBER 6, 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 October 6, 2010 and was called to order by Mayor Pat Lepore at 7:00 p.m.

Present: Council President Kazmark, Councilman Spinelli, Councilwoman Gatti Councilman DiDomenico, Councilwoman Pascrell and Mayor Lepore

Absent: Councilman Vargas

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:

Leonard Schaefer was sworn in as a Woodland Park Police Officer.

PUBLIC HEARINGS:

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

Anthony Scova, 6 Greenbriar Road, Little Falls thanked the Woodland Park Police, specifically, Patrolman Carlo Renne, for aiding him with regard to a car accident which he had on August 31, 2010.

Sanjay Desai, 186 Mt. Pleasant Avenue asked why the Interlocal Services Agreement with the Board of Education was extended from one year to five years. He complained that it was impossible to come to the school to pick up children five minutes before school ends. He also stated that Memorial Drive being a one-way street, is not working out. He stated that the additional traffic is due to the fact that the Mayor and Council cut the school budget as well as the busing.

Don Bender, 34 West 36th Street, stated that because we do not have our own zip code, our homeowner's insurance premiums are higher and asked that the Mayor and Council revisit the zip code issue.

Olga Kaplinsky, 51 Ryle Park Avenue, complained that the Mayor was trying to prevent her from sub-dividing her property to build an additional home.

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

The Mayor thanked Mr. Scova for taking the time to compliment our police department with regard to his recent car accident. The Mayor told Mr. Desai that, by law, when a school budget is defeated, that the Mayor and Council must cut the amount given to the schools. He told Mr. Desai that it was not his decision to cut the busing, it was the Board of Education's decision.

Council President Kazmark told Mr. Desai that the reason we are going to a five year contract with the Board of Education is because if there are any changes made to the contract, they are very minor and the contract can be amended easily if necessary.

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The Mayor told Mr. Bender that the zip code issue is a dead issue and we have gone as far as we could go with that situation. He spoke to Ms. Kaplinsky and told her that the matter that she spoke about is currently in litigation and he is not at liberty to discuss it at this time.

PRESENTATIONS:

Tom DeKorte and Cindy Sullivan of Certified Valuations spoke regarding the 2010 revaluation of the Borough of Woodland Park. They explained the procedure that they will be following and a lengthy discussion was held between them and the Mayor and Council. Timothy Henderson, Tax Assessor, was on hand to clarify some of the issues that were brought up.

MINUTES:

Upon Motion by Councilman Spinelli, seconded by Councilwoman Gatti, and passed on roll call vote, the Minutes of the Regular Meeting of September 1, 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 had no report at this time.
- C. Public Safety-Councilman DiDomenico stated requested that Mr. Galland send a letter, on the Mayor and Council's behalf, to the Board of Education stating that we accept the plans for Morley Drive. With respect to the Memorial Drive plan from Chief Galietti, he stated that the Mayor and Council still had some issues regarding the plan and he suggested a workshop meeting to discuss the same. He stated that his committee met with one of the red-light camera vendors and will be meeting with another vendor soon and will then make a recommendation.
- D. Health/Senior Services-Councilman Spinelli had no report at this time but announced that flu shots will be given out by the Borough on October 23, 2010 at 9:00 a.m.
- E. Recreation/Community Relations-Council President Kazmark stated that on Wednesday, September 29th, a meeting was held with the elected officials of the three Passaic Valley towns and the New Jersey School Board Associations regarding the regionalization of the school districts. He thanked Amy Pellegrini and Lou Taylor for an outstanding job in coordinating Woodland Park Day which was a success. He thanked everyone who made donations for this event. He announced that the Halloween Parade will be held at 10:00 a.m. on October 30, 2010. He announced that "Movie Night" has been cancelled.
- F. Laws/Ordinances-Councilman Vargas was absent

MAYOR'S REPORT:

The Mayor stated that he is waiting to hear from the Passaic County Board of Chosen Freeholders that Woodland Park will be awarded \$270,000.00 in open space money. He stated, with regard to the Boys and Girls Club, that he hopes the building will be ready very soon. He stated that there have been problems with construction issues and Mr. Galland elaborated on some of those problems.

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 R10-271, a resolution authorizing the Qualified Purchasing Agent of the Borough of Woodland Park to issue a bid for the purchase of a breathing air purification system for use by the volunteers of the West Paterson Fire Department.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to purchase a breathing air purification system for use by the volunteers of the West Paterson Fire Department; and

WHEREAS, funding for this project has been planned for in the 2009 Capital Bond Ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizes the Qualified Purchasing Agent of the Borough of Woodland Park to issue a bid for the purchase of a breathing air purification system for use by the volunteers of the West Paterson Fire Department; and

BE IT FURTHER RESOLVED, that this bid be numbered 10-08 and be advertised in The Herald News in compliance with New Jersey State Statutes.

B. Resolution R10-273, a resolution authorizing the Qualified Purchasing Agent of the Borough of Woodland Park to issue a bid for the milling, repaving and other improvements to Randazzo Lane and McKeown Avenue.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to mill and pave and make other minor improvements to Randazzo Lane and Mckeown Avenue: and

WHEREAS, funding for this project in the amount of \$100,000.00 is available from the Passaic County Community Development Block Grant; and

WHEREAS, additional funding, if required, will be obtained from the 2008 and/or 2009 Capital Bond Ordinances;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizes the Qualified Purchasing Agent of the Borough of Woodland Park to issue a bid for the milling, repaving and other minor improvements to Randazzo Lane and McKeown Avenue; and

BE IT FURTHER RESOLVED, that this bid be numbered 10-09 and be advertised in The Herald News in compliance with New Jersey State Statutes.

C. Resolution R10-274, a resolution accepting a grant from the Department of Homeland Security to the West Paterson Fire Department in the amount of \$58,707.00, and approving the Borough of Woodland Park's share in the amount of \$3,100.00.

WHEREAS, the Woodland Park Fire Department applied for a grant from the Department of Homeland Security; and

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WHEREAS, Department of Homeland Security has, in fact, approved an Assistance to Firefighters Grant FY2010 in the total amount of \$61,807.00; and

WHEREAS, the Federal share of said grant is ninety-five percent (95%) or \$58,707.00 of the approved amount and the Borough of Woodland Park's share of the costs will be five percent (5%) or \$3,100.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodland Park hereby approves the ninety five percent (95%) portion of the grant in the amount of \$58,707.00 and will make provisions for the five percent (5%) cost in the amount of \$3,100.00.

D. Resolution R10-275, a resolution authorizing the Tax Collector of the Borough of Woodland Park to return the total of \$22,261.04, for the redemption payment of a lien, to R. Rothman, 411 Grand Avenue, Englewood, New Jersey 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 a lien redemption for taxes, in the amount of \$22,261.04 was made on September 24, 2010; and

WHEREAS, the redemption certificate has been received in the Tax Office and, therefore, the amount of \$22,261.04 is to be returned to the lien holder, R. Rothman, 411 Grand Avenue, Englewood, New Jersey; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a lien redemption of said payment to be made to R. Rothman;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to return the total of \$22,261.04 for the redemption payment of the lien; and

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

E. Resolution R10-276, a resolution authorizing the Mayor of the Borough of Woodland Park to execute the Interlocal Services Agreement on behalf of the Borough with the Woodland Park Board of Education for the term of five (5) years commencing July 1, 2010.

WHEREAS, the Borough of Woodland Park (Borough) and the Woodland Park Board of Education (Board) hereby agree to enter into an Interlocal Services Agreement for a term of five (5) years commencing July 1, 2010; and

WHEREAS, said Agreement is to promote social service and youth programs in the Borough of Woodland Park; and

WHEREAS, said Agreement permits the Borough, or its Department of Recreation, use of the Charles Olbon and Memorial School gymnasiums commencing October 1, 2010 and use of the Memorial Fields and School #1 Field for the term of the agreement, in compliance with the terms of the Agreement; and

WHEREAS, said Agreement permits the Board the use of thirty (30) parking spaces at the parking lot adjacent to the Woodland Park Boys and Girls Club in compliance with the terms of the Agreement;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, do hereby authorize the Mayor to execute the Interlocal Services Agreement on behalf of the Borough with the

Woodland Park Board of Education for the term of five (5) years commencing July 1, 2010.

F. Resolution R10-278, a resolution authorizing the Borough Administrator to purchase an NEC SV8100 Communication System (State Contract No. A42333) for the Woodland Park Municipal Building and Woodland Park Police Department as well as the Woodland Park Department of Public Works in the amounts of \$15,150.00 and \$5,320.00, respectively.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to purchase a NEC SV8100 Communication System for the Woodland Park Municipal Building, the Woodland Park Police Department and the Woodland Park Department of Public Works; and

WHEREAS, quote has been received for the Municipal Building and the Police Department as well as for the Department of Public Works in the amounts of \$15,150.00 and \$5,320.00, respectively; and

WHEREAS, the communication system will be funded by the 2005 Bond Ordinance and will be purchased through Quality Communications;

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, hereby authorize the Borough Administrator to purchase a NEC SV8100 Communication System (State Contract No. A42333) for the Woodland Park Municipal Building and Woodland Park Police Department as well as the Woodland Park Department of Public Works in the amounts of \$15,150.00 and \$5,320.00, respectively.

G. Resolution R10-279, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$3,009.46, representing an overpayment in taxes, to Steven M. Pogorelec, Jr., 4 Mountainview Drive, 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 \$3,009.46 was made by Steven M. Pogorelec, Jr., 4 Mountainview Drive, Woodland Park; and

WHEREAS, Steven M. Pogorelec has requested, in writing, that this overpayment be returned to him; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a refund of said overpayment be made to Steven M. Pogorelec;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$3,009.46 for the overpayment of taxes to Steven M. Pogorelec, Jr., 4 Mountainview Drive, Woodland Park; and

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

H. Resolution R10-280, a resolution authorizing Tomorrows Children's Fund, 30 Prospect Avenue, Hackensack, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on February 17, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, between the hours of 6:00 and 10:00 p.m.

WHEREAS; Tomorrows Children’s Fund, 30 Prospect Avenue, Hackensack, New Jersey, is seeking approval to conduct an Tricky Tray and an On-Premise 50/50 Raffle on February 17, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 10:00 p.m.; and

WHEREAS; the applicant has filed application with Legalized Games of Chance under the state of New Jersey; Regulations (N.J.A.C.13:47-6.4) as well as the Municipal Clerk’s office of the Borough of Woodland Park; and

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby give authorization to Tomorrows Children’s Fund, 30 Prospect Avenue, Hackensack, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on February 17, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 10:00 p.m.

I. Resolution R10-281, a resolution awarding a contract to J.A. Alexander, Inc., 130 John F. Kennedy Drive, Bloomfield, New Jersey for improvements to McKeown Avenue and Randazzo Lane in an amount not to exceed \$107,897.00 to be funded by the Passaic County Community Block Grant (\$100,000.00) and \$7,897.00 from the 2009 Bond Ordinance.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to award a Contract for the improvements to McKeown Avenue and Randazzo Lane, Woodland Park; and

WHEREAS, the Borough’s Qualified Purchasing Agent advertised this construction project in compliance with the New Jersey State Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) on September 25, 2010 in the Herald News; and

WHEREAS, on October 5, 2010, four (4) bids were received and opened by the Borough’s Qualified Purchasing Agent; and

WHEREAS, upon review of the four (4) bids by the Borough’s Qualified Purchasing Agent and in conjunction with the Borough’s Engineering firm, it has been determined that J.A. Alexander, Inc., submitted the lowest responsive/responsible bid document; and

WHEREAS, this project will be funded by the Passaic County Community Development Block Grant (\$100,000.00) and the balance will be funded by the Borough’s 2009 Bond Ordinance;

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, does hereby award a contract to J.A. Alexander, Inc., 130 John F. Kennedy Drive, Bloomfield, New Jersey in an amount not to exceed \$107,897.00 for the work described in the bid document.

J. Resolution R10-283, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2010 Budget in the sum of \$281.95 as follows: New Jersey Division of Motor Vehicles – Drunk Driving Enforcement Fund.

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division 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 made 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 an item of appropriation for an equal amount, and

WHEREAS, the Borough of Woodland Park has received notice of an award of \$281.95 from the State of New Jersey, Division of Motor Vehicles, Drunk Driving Enforcement Fund, and wishes to amend its Calendar Year 2010 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2010 in the sum of\$281.95

Which is now available as an item of revenue from:

- Miscellaneous Revenues:
 - Section F: Special Items of General Revenue Anticipated
 - With Prior Written Consent of Director of Local Government Services – Public and Private Revenues
- Offset with Appropriations:
 - New Jersey Division of Motor Vehicles –
 - Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the like sum of\$281.95

Be and the same is hereby appropriated under the caption of:

- General Appropriations:
 - (A) Operations Excluded from CAPS
 - Public and Private Programs offset by Revenues:
 - New Jersey Division of Motor Vehicles –
 - Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED, that the Borough Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval.

K. Resolution R10-284, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the amount of \$3,432.48 for the overpayment of taxes, to American Tax Funding Collection of Jupiter, Florida with regard to 572 Rifle Camp Road, 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 \$3,432.48 was made by American Tax Funding Collection, Jupiter, Florida with regard to 572 Rifle Camp Road, Woodland Park; and

WHEREAS, American Tax Funding Collection has requested, in writing, that this overpayment be returned to them; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a refund of said overpayment be made to American Tax Funding Collection;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$3,432.48 for the overpayment of taxes to American Tax Funding Collection of Jupiter Florida, with regard to 572 Rifle Camp Road, Woodland Park; and

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

L. Resolution R10-285 a resolution to approve the actions noted in the Consent Agenda, items A. through K., 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 K. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Council President Kazmark asked Mr. Galland, with regard to Resolution R10-278, about the deficiencies with our current phone system. Mr. Galland explained the problems that the DPW, as well as the police station, are having with our current system.

Upon Motion made by Councilwoman Gatti, and seconded by Councilman Spinelli, 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 the 10/15/10 and 10/30/10 regular and miscellaneous payrolls estimated at \$190,000.00 each.

Upon Motion made by Council President Kazmark, seconded by Councilman Spinelli and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 10/01/10 totaling \$430,016.38.

DEPARTMENT REPORTS:

1. Fire Prevention Report for September, 2010.
2. Senior Bus Usage Report for September, 2010.
3. Planning Board Minutes for July 29, 2010.
4. Board of Adjustment Minutes for August 23, 2010.
5. Board of Adjustment Resolution of Memorialization.
6. Finance Department - Summary Budget Status Report for October 1, 2010.

OLD BUSINESS:

Resolution R10-282

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey desire to perform reconstruction to the interior of the Boys and Girls Club due to storm related damage; and

WHEREAS, on September 30, 2010, the Borough's Qualified Purchasing Agent issued a Written Quote Proposal (10-13) to secure a vendor to provide this service; and

WHEREAS, on October 6, 2010, one (1) written quote was received and opened by the Borough's Qualified Purchasing Agent; and

WHEREAS, funding for this project will be provided by the Borough's 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, does hereby award a contract to Pianelli Plumbing & Heating, Inc., 1181 McBride Avenue, Woodland Park, New Jersey for the reconstruction work to be done at the Boys and Girls Club Building, Memorial Drive, Woodland Park in an amount not to exceed \$30,000.00.

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

NEW BUSINESS:

Council President Kazmark addressed the issue of the amount of political signs being posted as well as the size of the signs being posted in the Borough by County republican candidates. He also stated that these signs were posted more than thirty days before the election which is against our ordinance. He read a portion of the ordinance and stated that this ordinance should be followed by everyone.

EXECUTIVE SESSION:

BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., it is necessary to convene an executive session to discuss items authorized by N.J.S.A. 10:4-12 (b), specifically:

- o Pending Litigation

BE IT FURTHER RESOLVED, that it is anticipated that the deliberation conducted in closed session may be disclosed to the public upon the determination by the Mayor and Council that the public interest will no longer be served by such confidentially and if not then legally privileged.

Upon Motion made by Councilwoman Gatti, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:30 p.m.

Upon the conclusion of the executive session, the Mayor and Council immediately returned to the regular meeting at 9:35 p.m.

There being no further business to come before the Council, upon Motion by Councilman Spinelli, seconded by Councilman DiDomenico and unanimously passed on roll call vote, the meeting was adjourned at 9:36 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor