

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON JANUARY 19, 2011**

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 January 19, 2011 and was called to order by Mayor Pat Lepore at 7:00 p.m.

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

Absent: None

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 5, 2011 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:

Certificates were presented to the West Paterson Soccer Association Championship Teams.

Certificates were presented by the Borough and Congressman Pascrell's Office to Memorial School students for their assistance in cleaning up sections of the Passaic River.

PUBLIC HEARINGS:

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

Laura VanWinkle, 36 Terrace Avenue commended one of the DPW workers who has been plowing her street for years and has done a great job. However, she stated that another DPW worker, in a larger plow, drives entirely too fast up and down the streets when plowing the snow and because of the excessive speed, the snow from the street is being thrown onto her sidewalks that she has already shoveled.

Sanjay Desai, 186 Mt. Pleasant Avenue complained about the snow plows coming down Brookview Drive and pushing the snow in front of his house. He complained that Gienozzo's Deli put up caution tape across the sidewalk so that no one could walk on the sidewalk in front of the deli. He stated that because of the way the snow was plowed in the front of his home and the way he had to park, he received a ticket from the Police Department. He stated that his neighbor, who had not shoveled the snow in the front of his home, did not receive a summons and he asked why that was so.

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

The Mayor told Mr. Desai that he saw the caution tape at the deli and stated that the deli owner was alerting pedestrians to be careful. The Mayor told Mr. Desai that he cannot get involved with summonses that are given out by the Police Department. With regard to snow being plowed back onto his property, he told Mr. Desai that George Galbraith will instruct the drivers to slow down when plowing. Councilman DiDomenico stated that the reason Mr. Desai received a summons and his neighbor did not is due to the fact that the police give out summonses for the streets and Code Enforcement gives out summonses for code violations such as not shoveling the sidewalks.

MINUTES:

Upon Motion by Council President Spinelli, seconded by Councilwoman Gatti, and passed on roll call vote, with abstentions by Councilman Holloway and Councilman

Vargas for the December 29th Executive Session, the Minutes of the Executive Session of December 29, 2010, the Reorganization Meeting of January 5, 2011 and the Executive Session of January 5, 2011 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 had no report at this time.
- D. Health/Senior Services-Councilman Holloway stated that his committee will be working with Johnson & Johnson Pharmaceuticals to conduct a “Health Day” for the senior citizens of Woodland Park sometime in the spring.
- E. Recreation/Community Relations-Council President Spinelli had no report at this time.
- F. Laws/Ordinances-Councilman Vargas had no report at this time.

MAYOR’S REPORT:

The Mayor stated that he is hopeful that he will be able to give his “State of the Borough Address” at the next council meeting.

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 R11-30, a resolution authorizing West Paterson Fire Company #2 to conduct a “Shake-a-Boot” fundraiser on June 2-5, 2011, with an alternate date of June 10-12, 2011, at the intersections of 1) Glover and McBride, 2) Lackawanna and McBride, 3) Rifle Camp and Notch Road, 4) Browertown near the entrance to the Kohl’s Shopping Plaza and 4) Squirrelwood Road near Jackson Avenue subject to the stipulations set forth in this resolution.**

WHEREAS, the Officers of the West Paterson Fire Company #2 have requested permission to conduct a “Shake-a-Boot” fund raiser on June 3-5, 2011, with an alternate weekend of June 10-12, 2011 in order to collect voluntary contributions for the on-going activities of the Company; and

WHEREAS, the Officers have recommended that this activity be limited to the intersections of (1) Glover and McBride, (2) Lackawanna and McBride, (3) Rifle Camp Road and Notch Road, (4) Browertown Road near the entrance to the Kohl’s Shopping Plaza and (5) Squirrelwood Road near Jackson Avenue on the dates stated above; and

WHEREAS, the Woodland Park Police Department has been notified of this request and authorization from Chief Robert Galietti has been secured; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park fully support the dedicated efforts of the volunteers of the West Paterson Fire Companies in all of their activities and recognize the need to periodically solicit contributions from the public;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park authorizes the Officers and Members of the West Paterson Fire Company #2 to conduct a “Shake-a-Boot” fundraiser on June 3-5, 2011 at the intersections of 1) Glover and McBride, (2) Lackawanna and McBride, (3) Rifle Camp

Road and Notch Road, (4) Browertown Road near the entrance to the Kohl's Shopping Plaza and (5) Squirrelwood Road near Jackson Avenue on the dates stated above.

BE IT FURTHER RESOLVED, that this acknowledgement is conditioned on the following:

1. That no one under the age of eighteen (18) be permitted to solicit funds on any public street or from any person in/on a vehicle on a public street; and
2. That safety measures (clothing/jackets with reflective material/tape, traffic cones, barriers, etc.) be utilized to warn drivers of pedestrian activity in the road to protect the solicitors.
3. With regard to solicitations at the intersection of McBride and Glover Avenues, solicitations are prohibited on Glover Avenue east of McBride Avenue.

B. Resolution R11-31, a resolution approving the application of Ernest R. Berthold, 34 New Brier Lane, 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 Ernest R. Berthold, 34 New Brier Lane, 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 Ernest R. Berthold to become a West Paterson Volunteer Firefighter.

C. Resolution R11-32, a resolution authorizing St. Clare's Foundation, 140 Diamond Spring Road, Denville, New Jersey to conduct an Off-Premise Merchandise Raffle on April 1, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park between the hours of 6:00 and 11:00 p.m.

WHEREAS; St. Clare's Foundation, 140 Diamond Spring Road, Denville, New Jersey, is seeking approval to conduct an Off-Premise Merchandise Raffle on April 1, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 11:00 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 St. Clare's Foundation, 140 Diamond Spring Road, Denville, New Jersey, to conduct an Off-Premise Merchandise Raffle on April 1, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 11:00 p.m.

D. Resolution R11-33, a resolution authorizing DePaul Catholic High School Parents Association, 1512 Alps Road, Wayne, New Jersey to hold a Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise Merchandise Raffle on March 30, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park between the hours of 5:00 and 11:00 p.m.

WHEREAS; DePaul Catholic High School Parents Association, 1512 Alps Road, Wayne, New Jersey, is seeking approval to conduct an Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise Merchandise Raffle on March 30, 2011 at the Westmount

Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 5:00 and 11:00 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 DePaul Catholic High School Parents Association, 1512 Alps Road, Wayne, New Jersey, to conduct a Tricky Tray, an On-Premise 50/50 Raffle and an Off-Premise Merchandise Raffle on March 30, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 5:00 and 11:00 p.m.

E. Resolution R11-34, a resolution approving the application for a license to operate a used motor vehicle dealership by Mercury Auto Sales, LLC, 575 McBride Avenue, Woodland Park subject to the stipulations listed in this resolution.

WHEREAS, the Mayor and Council are in receipt of an application for a license to operate a used motor vehicle dealership by Mercury Auto Sales LLC, 575 McBride Ave., Woodland Park, New Jersey, owned by Cosmo D'Ovidio; and

WHEREAS, Mercury Auto Sales, LLC has submitted an application in accordance with Chapter VII of the Revised General Ordinances of the Borough of Woodland Park dated 1972 and Amendments thereto; and

WHEREAS, Detective John Uzzalino and Felix Esposito, Construction Code Official, have completed their investigations and have approved said application;

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 information provided, hereby approves the application of Mercury Auto Sales, LLC to operate a used motor vehicle dealership with the stipulation that all rules and regulations, as stated in Section 7-8.7, specifically 7-8.7c; 7-87e and 7-8.7i of the Ordinances of the Borough of Woodland Park, are complied with.

F. Resolution R11-35, a resolution authorizing Special Olympics of New Jersey, Inc., 3 Princess Road, Lawrenceville, New Jersey to conduct an Off-Premise Merchandise Raffle on March 20, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park between the hours of 4:30 and 9:30 p.m.

WHEREAS; Special Olympics New Jersey, Inc. is seeking approval to conduct an Off-Premise Merchandise Raffle on March 20, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 4:30 and 9:30 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 Special Olympics New Jersey, Inc. 3 Princess Rd., Lawrenceville, New Jersey, to conduct an Off-Premise Merchandise Raffle on March 20, 2011 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours 4:30 and 9:30 p.m.

G. Resolution R11-38, a resolution authorizing the establishment of a petty cash fund for the Board of Recreation in the amount of \$200.00 and appointing Amy Pellegrini as custodian.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey desire to establish a petty cash fund for the Board of Recreation for the Borough of Woodland Park in the amount of \$200.00; and

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution; and

WHEREAS, the Mayor and Council desire to appoint Amy Pellegrini as custodian for the Board of Recreation and said custodian is bonded for the amount of \$100,000.00 and such custodian shall maintain records for these funds in a manner conducive to proper accounting and auditing procedures;

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 such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

H. Resolution R11-39, a resolution employing the services of Idamae Renne to perform the duties of Certified Tax Collector and Collector of Water Consumer Accounts for the Borough of Woodland Park for the time period January 17, 2011 through December 31, 2012 at an annual salary of \$14,000.00.

WHEREAS, Mr. Joseph John McCluskey was appointed as the Borough of Woodland Park's Tax Collector in April of 2000 for the time period from date of appointment through December 31, 2004; and

WHEREAS, Mr. Joseph John McCluskey was reappointed as the Borough of Woodland Park's Tax Collector for the time period January 1, 2005 through December 31, 2008; and

WHEREAS, due to the resignation of Mr. McCluskey, Ms. Idamae Renne was appointed, on March 19, 2008, as the Borough's Tax Collector for the time period through December 31, 2008, which was the balance of Mr. McCluskey's four (4) year term in office in compliance with State Statutes (NJSA 40A:9-142); and

WHEREAS, Ms. Idamae Renne was reappointed as the Borough of Woodland Park's Tax Collector for the time period January 1, 2009 through December 31, 2012; and

WHEREAS, due to the resignation of Ms. Idamae Renne, effective November 24, 2010, the Borough is obligated to appoint a Certified Tax Collector to fill Ms. Renne's unexpired term; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to re-appoint Idamae Renne to the position of Certified Tax Collector and Collector of Water Consumer Accounts for the time period from January 17, 2011 through December 31, 2012; and

WHEREAS, Idamae Renne holds the required New Jersey State certification (T-8163) and is willing to perform the duties of the Certified Tax Collector and Collector of Water Consumer Accounts on a part time basis for the Borough of Woodland Park for an annual salary of \$14,000.00;

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 employ the services of Idamae Renne to perform all of the duties of the Certified Tax Collector and Collector of Water Consumer Accounts for the Borough of Woodland Park for the time period January 17, 2011 through December 31, 2012 at an annual salary of \$14,000.00.

I. Resolution R11-40, a resolution to approve the actions noted in the Consent Agenda, items A. through H., 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 H. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

Upon Motion made by Council President Spinelli, and seconded by Councilwoman 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 Councilman Holloway and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 01/13/11 totaling \$2,228,173.96.

DEPARTMENT REPORTS:

1. Police Report for December, 2010.
2. Over the Limit, Under Arrest Year End Crackdown Report.
3. Fire Department – 2010 Activity/Equipment Usage Report.
4. Fire Prevention Report for December, 2010 and the year 2010.
5. Senior Bus Usage Report for December, 2010.
6. Planning Board Minutes for December 6, 2010.
7. Planning Board Minutes of Executive Session of December 6, 2010.
8. Planning Board Resolution.
9. Animal Control Report for December, 2010.
10. Finance Department - Summary Budget Status Report for end of 2010.
11. Finance Department – Summary Budget Status Report for 1/18/11.
12. Library Minutes for December 20, 2010.

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 Personnel Matters

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 Councilman DiDomenico, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:15 p.m.

Upon the conclusion of the executive session, the Mayor and Council immediately returned to the regular meeting at 9:45 p.m.

There being no further business to come before the Council, upon Motion by Councilman Holloway, seconded by Councilman DiDomenico and unanimously passed on roll call vote, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor