

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON NOVEMBER 2, 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 November 2, 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 and Mayor Lepore

Councilman Vargas arrived at 7:15 p.m.

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:

Resolution R11-285

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, fully support the West Paterson First Aid Squad; and

WHEREAS, the Mayor and Council recognize that the West Paterson First Aid Squad are able to provide first aid services to the residents of Woodland Park through donations from outside sources;

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 making of a sixteen thousand four hundred seventy (\$16,470.00) dollar contribution, from the 2011 Budget, to the West Paterson First Aid Squad.

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

The Mayor presented a donation check in the amount of \$16,470.00 to Andy Dillon, Captain of the West Paterson First Aid Squad. Andy Dillon thanked the Mayor and Council for their donation.

PUBLIC HEARINGS:

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

Angela Jones, 25 Radcliffe Avenue, asked the Mayor if he had contacted Cablevision with regard to the Cablevision box that is located on McBride Avenue near the Peckman River, which is surrounded by water during any flooding and, ultimately, knocks out the cable in her area. She had explained the situation to the Mayor at the last meeting of the Mayor and Council and was hear to follow up on her request.

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

The Mayor told Ms. Jones that he has not made the call to Cablevision but he does have a meeting set up with them to discuss various issues.

MAYOR'S REPORT:

The Mayor gave a lengthy report on the recent snowstorm of October 29th discussing the damage that was done to the Borough in the form of tree limbs falling as well as wires down and property damage. The Mayor told everyone that he had the Police Department send out a reverse 911 message telling residents that tree limbs and electrical wires were down throughout the borough and everyone should be careful on Halloween. The Mayor suggested another means of communication in case the cable should go out. He suggested that each resident give us their cell phone numbers so that if we should need to use the reverse 911 system and the telephones are down, we have cell phone numbers so that residents can still be contacted. A discussion was held between the Mayor and Council with regard to the power being restored, by PSE&G, to those who lost power in the storm.

MINUTES:

Upon Motion by Councilwoman Pascrell, seconded by Councilwoman Gatti, and passed on roll call vote, the Minutes of the Regular Meetings of September 21, 2011, October 5, 2011 and October 19, 2011 were approved as submitted with abstentions on the October 5th meeting by Councilman Holloway and on the October 19th meeting by Councilman Vargas.

CONFERENCE COMMITTEE REPORTS:

- A. Administration/Finance-Councilwoman Pascrell stated that her committee will be meeting on Monday evening.
- B. Buildings & Grounds/Public Works-Councilwoman Gatti had no report at this time.
- C. Public Safety-Councilman DiDomenico brought up an inquiry which he had e-mailed to the Mayor and Council regarding putting up a street light in the cul-de-sac of Ferrary Place. A discussion was held between Councilman DiDomenico and the Mayor wherein the Mayor stated that he believed there was a street light already in place, but was covered by trees. He will be contacting PSE&G to cut the tree limbs around this light and see, at that time, if another light is warranted.
- D. Health/Senior Services-Councilman Holloway thanked the Board of Health for running the Annual Flu Clinic on Saturday, October 22, 2011.
- E. Recreation/Community Relations-Council President Spinelli stated that the Boys & Girls Club football teams have started their version of the Superbowl Playoffs.
- F. Laws/Ordinances-Councilman Vargas 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 R11-279, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the total of \$1,500.00 for the overpayment of taxes to the owner of the property at 239 Mt. Pleasant Avenue (Block 56.01, Lot 10), 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 \$1,500.00, was made by Barbara Kruza, 239 Mt. Pleasant Avenue, Woodland Park; and

WHEREAS, Barbara Kruza has requested, in writing, that this overpayment be returned to her; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made to Barbara Kruza;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$1,500.00 for the overpayment of taxes to Barbara Kruza with reference to 239 Mt. Pleasant Avenue, Woodland Park; and

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

B. Resolution R11-280, a resolution authorizing the Tax Collector of the Borough of Woodland Park to credit the total of \$29,706.80 for the overpayment of taxes by 1167 LLC, with reference to 1167 McBride Avenue, Woodland Park (Block 96, Lot 7), to apply the credit to 1942 LLC and 1986 LLC, 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 \$29,706.80, was made by Nadim Abou-said, 1167 McBride Avenue, Woodland Park, Block 96, Lot 7; and

WHEREAS, Nadim Abou-said has requested, in writing, that this overpayment be credited to his accounts as follows:

Block 96, Lot 7	Qualifier-C0002	\$ 1,861.25
Block 96, Lot 7	Qualifier-C0003	\$ 4,155.56
Block 96, Lot 7	Qualifier-C0004	\$23,689.99; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a credit of said overpayment be made as stipulated above;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to credit the total of \$29,706.80 for the overpayment of taxes to Nadim Abou-said with reference to 1167 McBride Avenue, Woodland Park; and

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

C. Resolution R11-281, a resolution authorizing four Woodland Park Police Officers to attend a fundraising event in the capacity of security officers, on a volunteer basis, at no cost to the Borough of Woodland Park.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of correspondence from Tara Ann Hayek of

November 2, 2011 409

the Eighth Grade Dance Committee stating that they will be holding a fundraising event at Passaic Valley High School on November 20, 2011 from 1:00 to 3:00 p.m.; and

WHEREAS, Ms. Hayek is requesting four police officers to be present at this fundraising event for security purposes; and

WHEREAS, these police officers will volunteer their time and attend the event in the capacity of security officers, at no cost to the Borough of Woodland Park;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey authorizing four Woodland Park Police Officers to attend a fundraising event in the capacity of security officers, on a volunteer basis, at no cost to the Borough of Woodland Park.

D. Resolution R11-283, a resolution authorizing Tomorrow's Children's Fund, 30 Prospect Avenue, Hackensack to conduct a Basket Raffle and an On-Premise 50/50 Raffle on January 26, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 10:00 p.m.

WHEREAS; Tomorrow's Children's Fund, 30 Prospect Avenue, Hackensack, New Jersey, is seeking approval to conduct a Basket Raffle and an On-Premise 50/50 Raffle on January 26, 2012 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 Tomorrow's Children's Fund, 30 Prospect Avenue, Hackensack, New Jersey, to conduct a Basket Raffle and an On-Premise 50/50 Raffle on January 26, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 and 10:00 p.m.

E. Resolution R11-284, a resolution authorizing James Fallon Elementary, 51 Clifford Drive, Wayne, New Jersey to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 13, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 7:00 and 10:45 p.m.

WHEREAS; James Fallon Elementary, 51 Clifford Drive, Wayne, New Jersey, is seeking approval to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 13, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 7:00 and 10:45 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 James Fallon Elementary, 51 Clifford Drive, Wayne, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 13, 2012 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 7:00 and 10:45 p.m.

F. Resolution R11-286, a resolution denying the request of Lila Limousine LLC to operate a limousine business at 703 McBride Avenue, Woodland Park, based on the recommendation of Felix Esposito, Construction Code Official.

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of a request from Comert Comertogullari d/b/a Lila Limousine, LLC, 703 McBride Avenue, Woodland Park, to operate a limousine business; and

WHEREAS, the above named applicant has filed all necessary paperwork with the Municipal Clerk’s office in conjunction with Felix Esposito, Construction Code Official, as well as in accordance with N.J.S.A.48:126-2,3, and 4, Limousine Charter Service; and

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 Felix Esposito, Construction Code Official, denies the request of Comert Comertogullari d/b/a/ Lila Limousine, LLC, to operate a limousine business at 703 McBride Avenue, Woodland Park.

G. Resolution R11-287, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2011 Budget in the sum of \$2,630.19 – Department of Justice – Body Armor.

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 \$2,630.19 from the Department of Justice and wishes to amend its Calendar Year 2011 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 2011 in the sum of\$2,630.19

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:
 - Department of Justice
 - Body Armor

BE IT FURTHER RESOLVED that the like sum of\$2,630.19

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:
 - Department of Justice
 - Body Armor

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

H. Resolution R11-288, a resolution to approve the actions noted in the Consent Agenda, items A. through G., 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.

Councilman DiDomenico asked whether or not our police officers would be insured in the Township of Little Falls with regard to Resolution R11-281. Mr. Buglione explained that the Borough of Woodland Park, the Township of Little Falls and the Borough of Totowa all belong to the New Jersey Intergovernmental Insurance Fund and, therefore, our officers would be covered if they are working in Little Falls as is stated in the aforementioned resolution.

Upon Motion made by Councilwoman Gatti, and seconded by Councilman Holloway, 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 Council President Spinelli, seconded by Councilman Holloway and unanimously passed on roll call vote, the Council confirmed the payment of the 11/15/11 and 11/30/11 regular and miscellaneous payrolls estimated at \$190,000.00 each.

Upon Motion made by Councilman Vargas, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 10/28/11 totaling \$3,012,719.06.

DEPARTMENT REPORTS:

1. Fire Prevention Report for October, 2011.
2. Finance Department - Summary Budget Status Report for Oct. 28, 2011.

OLD BUSINESS:

A. Public Hearing on Ordinance No. 11-17

Upon a Motion made by Councilwoman Gatti, seconded by Council President Spinelli and passed on roll call vote, a public hearing was opened on Ordinance No. 11-17.

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

B. Resolution R11-278, Adoption of Ordinance 11-17 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled an Ordinance to Amend Chapter IV (Police Department) of the Code of the Borough of Woodland Park; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated October 22, 2011, setting the date of November 2, 2011 for the public hearing and consideration for final passage; and

WHEREAS, copies of the ordinance were posted on the Borough's official bulletin board and copies 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 November 2, 2011 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an Ordinance entitled an Ordinance to Amend Chapter IV (Police Department) of the Code of the Borough of Woodland Park, 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.

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

Said Ordinance 11-17 has been written out in the Minutes of the October 19, 2011 meeting.

Before adjourning, the Mayor reminded everyone that this Tuesday, November 8, 2011, is Election Day and encouraged everyone to vote.

There being no further business to come before the Council, upon Motion by Councilwoman Gatti , seconded by Councilman Holloway and unanimously passed on roll call vote, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Pat Lepore
Mayor