

**BOROUGH OF WOODLAND PARK  
REGULAR MEETING OF THE MUNICIPAL COUNCIL  
HELD ON NOVEMBER 21, 2012**

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 21, 2012 and was called to order by Mayor Keith Kazmark at 6:00 p.m.

Present: Council President Gatti, Councilman Holloway, Councilman Spinelli, Councilman DiDomenico, Councilwoman Pascrell, Councilman DeCesare, Mayor Kazmark and Councilwoman-Elect Kallert

Absent: None

Kevin Galland, Administrator and Albert Buglione, Municipal Attorney, were 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 4, 2012 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.

**PUBLIC HEARINGS:**

Mayor Kazmark 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 Councilman Holloway, seconded by Councilman Spinelli, and passed on roll call vote, the Minutes of the Regular Meeting and Executive Session of November 7, 2012, were approved as submitted, with an abstention by Councilman DiDomenico.

**MAYOR'S REPORT:**

The Mayor stated that the municipality is still recovering from Hurricane Sandy and he thanked all those involved in the recovery efforts. He also thanked Chief Galietti and George Galbraith for keeping overtime hours at a minimum in each of their respective departments. The Mayor stated that he received a letter from Sheriff Berdnick who indicated that he would be reinstating the Sheriff's Labor Assistance Program (SLAP). The Mayor indicated that he, as well as a few Woodland Park business-owners, taped a commercial, to be broadcast on cable TV, encouraging shopping in Woodland Park. The Mayor thanked the American Legion for putting together their annual service for Veterans' Day. The Mayor stated that the Annual Toy Drive will begin on Monday, November 26<sup>th</sup>. He also stated that toys can be dropped off at the Municipal Building and the Alfred Baumann Library. The Mayor wished everyone a healthy and happy Thanksgiving Holiday.

**CONFERENCE COMMITTEE REPORTS:**

- A. Administration & Finance – Council President Gatti had no report at this time.
- B. Buildings & Grounds/Public Works – Councilman DiDomenico had no report at this time.
- C. Public Safety – Councilman DeCesare stated that they are currently working on the I.D. cards for the senior citizens.

- D. Health & Senior Services – Councilman Spinelli had no report at this time.
- E. Recreation & Community Relations – Councilwoman Pascrell reminded everyone that the “Tree Lighting” will be Friday, November 30<sup>th</sup>, the “Holiday Movie” will be held on Saturday, December 1<sup>st</sup> and the ornaments for the “Ornament Contest” should be in by Monday, November 26<sup>th</sup>.
- F. Laws & Ordinances – Councilman Holloway stated that the Amendment of the Sign Ordinance and the Rent Control Ordinance will be introduced tonight.

**MUNICIPAL ATTORNEY’S REPORT:**

Mr. Buglione spoke about a matter that has been on-going for a number of years, namely, the New Jersey environmental matter involving the DEP, Diamond Shamrock and the Passaic Valley Sewer Commission.

**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 R12-321, a resolution authorizing the Wayne Council of PTO’s, 50 Nellis Drive, Wayne, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on April 16, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. and 11:00 p.m.**

**WHEREAS**, the Wayne Council of PTO’s, 50 Nellis Drive, Wayne, New Jersey, is seeking approval to conduct a Tricky Tray and an On-Premise 50/50 on April 16, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. 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 the Wayne Council of PTO’s, 50 Nellis Drive, Wayne, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 on April 16, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. and 11:00 p.m.

- B. Resolution R12-322, a resolution authorizing Forever Friends Give, Inc., 15 Cobblestone Terrace, Montville, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 17, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. and 11:00 p.m.**

**WHEREAS**, Forever Friends Give, Inc., 15 Cobblestone Terrace, Montville, New Jersey, is seeking approval to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 17, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. 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 Forever Friends Give, Inc., 15 Cobblestone Terrace, Montville, New Jersey, to conduct a Tricky Tray and an On-Premise 50/50 Raffle on January 17, 2013 at The Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 6:00 p.m. and 11:00 p.m.

**C. Resolution R12-325, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of Calendar Year 2012 in the sum of \$2,776.71 for the 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 \$2,776.71 from the Department of Justice and wishes to amend its Calendar Year 2012 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 2012 in the sum of .....\$2,776.71

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 .....\$2,776.71

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.

**D. Resolution R12-326, a resolution to approve the actions noted in the Consent Agenda, items A. through C., 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 C. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

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Upon Motion made by Councilman DeCesare, 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 Council President Gatti, seconded by Councilman Holloway and unanimously passed on roll call vote, the Council confirmed the payment of the 11/30/12 regular and miscellaneous payroll estimated at \$230,000.00.

Upon Motion made by Councilwoman Pascrell, seconded by Councilman Spinelli and passed on roll call vote, with an abstention by Councilman DiDomenico, the Council confirmed the payment of bills from voucher list of 11/16/12 totaling \$146,088.96.

**DEPARTMENT REPORTS:**

1. Fire Prevention Report for October, 2012
2. Summary Budget Status Report for November 15, 2012.

**NEW BUSINESS:**

**A. Resolution R12-320, Introduction of Ordinance 12-17**

**AN ORDINANCE WHICH SUPERSEDES ORDINANCE NO. 11-11 AND LISTS IN ITS ENTIRETY FIXING THE ANNUAL SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES FOR THE BOROUGH OF WOODLAND PARK, PASSAIC COUNTY, NEW JERSEY FOR THE YEAR 2012** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of December, 2012, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Upon Motion made by Councilwoman Pascrell, and seconded by Councilman DeCesare, the foregoing resolution was adopted on roll call vote, with an abstention by Councilman DiDomenico and an abstention on the position of Technical Assistant to the Construction Code Official; Assistant Zoning Officer and Secretary to the Planning and Zoning Board by Mayor Kazmark.

**B. Resolution R12-323, Introduction of Ordinance 12-18**

**AN ORDINANCE TO AMEND ORDINANCE No. 22:42-2 TO ESTABLISH REGULATIONS WITH REGARD TO THE USE OF SIGNS** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of December, 2012, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

At this point, Mr. Galland explained that in July, the Rent Control Ordinance had been introduced. After the public hearing at the subsequent Council Meeting, the Governing Body elected to table the Motion to Adopt (R12-231) this Ordinance.

Upon Motion made by Councilwoman Pascrell, seconded by Council President Gatti, Resolution R12-231 was brought back to the table by a unanimous roll call vote.

Upon Motion made by Councilman Spinelli and seconded by Councilman DeCesare, Resolution R12-231 was denied, with an abstention by Councilman DiDomenico.

**C. Resolution R12-324, Introduction of Ordinance 12-19**

**AN ORDINANCE TO ESTABLISH THE MAXIMUM INCREASE ALLOWED FOR RENTAL HOUSING UNITS IN THE BOROUGH OF WOODLAND PARK** heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 5<sup>th</sup> day of December, 2012, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

A discussion was held between the Mayor, Council and Mr. Buglione clarifying this ordinance.

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

**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 Councilman Spinelli, seconded by Councilman DeCesare and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 6:30 p.m.

There being no further business to come before the Council, upon Motion by Councilman Spinelli, seconded by Councilman DeCesare and unanimously passed on roll call vote, the meeting was adjourned at 7:15 p.m.

Respectfully submitted,

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Kevin V. Galland  
Municipal Clerk

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Keith Kazmark  
Mayor