BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON APRIL 17, 2013

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 April 17, 2013 and was called to order by Mayor Keith Kazmark at 7:00 p.m.

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

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 2, 2013 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 Hearing on 2013 Budget:

Mayor Kazmark spoke about the 2013 Municipal budget for adoption. The 2013 Municipal budget includes no tax increase. With proper planning an increase in construction fee revenue, the collection of back taxes from 1225 LLC due to a Federal Court Judges ruling, in allowing the Municipality to put that property out for the tax sale last October. Due to the fact that we are progressively pursuing Grant funding, last year we received over $450,000.00 in Grants to offset some of the projects that we wanted to take on in Woodland Park and we currently have 2.5 million dollars in pending Grant applications. We also were successful with this budget with reducing the overall salaries and wages in the Municipality. Last year in 2012, my first year as Mayor we were able to reduce the overall salaries and wages by $22,000.00 and this year we were able to reduce salaries and wages by $60,000.00, in a two year period that is over $80,000.00 in reduction. There are certain costs every year on an annual basis that are out of our control through the Municipality. The pension fund, the health insurance benefits which increase over 10% per year, and other insurances are three main areas that we have no control over. We have been able to offset those increases by reductions in other areas of the budget which include the salaries and wages and also by the use of surplus. When putting this budget together the end numbers for 2012 resulted in 2.9 million worth of surplus that we had in order to deliver this no Municipal tax increase. Mr. Wilkotz indicated to us during our budget talks that this is about 19% of our entire budget. This year we have been able to deliver a very fiscally prudent budget that does in fact deliver no Municipal tax increase. When you come to pay your property taxes 25% of what you pay goes to the Municipal operation the remaining 75% goes to the Schools and the County for their operations.

Upon a Motion made by Councilman DeCesare, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened with regard to the 2013 Budget.

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

Resolution R13-128, 2013 Budget to be read by title only

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body,

providing that at least one week prior to the date of hearing a complete copy of the approved Budget, as advertised, has been posted in the Municipal Building, the local public library and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey, that the Budget shall be read by title only.

Upon Motion made by Councilman Spinelli, and seconded by Councilman DeCesare, the aforegoing resolution was adopted on roll call vote.

Resolution R13-129, adoption of 2013 Budget.

BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the

County of Passaic, State of New Jersey, hereby adopt the 2013 Municipal Budget set forth herein and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of $15,667,201.45 for municipal purposes.

SUMMARY OF REVENUES

General Revenues	
Surplus Anticipated	$ 1,627,623.00
Miscellaneous Revenues Anticipated	2,184,526.45
Receipts from Delinquent Taxes	380,000.00
Minimum Library Tax	563,690.00
Amount To Be Raised By Taxation	10,911,362.00
Total Revenues	$15,667,201.45

SUMMARY OF APPROPRIATIONS

Within "CAPS"	
Operations Including Contingent	$10,200,032.45
Deferred Charges and Statutory Expenditures	1,148,366.00
Excluded From "CAPS"	
Operations	1,705,311.00
Capital Improvements	150,000.00
Municipal Debt Service	1,583,492.00
Deferred Charges	70,000.00
Judgements	100,000.00
Reserve For Uncollected Taxes	710,000.00
Total Appropriations	$15,667,201.45

Upon Motion made by Councilwoman Kallert, and seconded by Councilman Spinelli, the aforegoing resolution was adopted on roll call vote.

Public Hearing:

Angela Rizzi, 512 McBride Ave, requested some stop for Pedestrian signs on McBride Ave or speed limit signs as you enter Woodland Park. She stated that there is no speed limit signs

posted and people are driving really fast.

Joan Murko, 15 Casson Lane, questioned why the borough allows certain, not all, property owners or renters to conduct businesses at their home addresses in residential areas. She also questioned if the town has pothole patching in the budget. Mrs. Murko was also concerned about the stream that come out of Henderson Pond and it's debris and the possible flooding condition if and when a storm occurs.

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

Mayor Kazmark commented on Angela Rizzi's request, himself and Police Chief Galietti have already looked into this matter and additional speed signs along McBride Ave are to be installed. We can and will accommodate you on the 25 MPH speed limit signs. The Mayor suggested that Angela Rizzi email either the Mayor or Councilman DeCesare and to make a request to place the speed trailer in the troublesome areas.

Mayor Kazmark commented on Joan Murko about the property owner she had spoken about. The Mayor stated that the matter was taken to Court a number of years ago and we were unsuccessful in compelling the Court to either have the property owner remove or at least clean up the business he is running out of his backyard. The Mayor said that he will have a conversation with Mr. Esposito about the six identified properties. The property that Mrs. Murko spoke about tonight being on that list and other properties where there is serious concern about the condition of the properties and use of the properties. The Mayor stated what happens with cases like these is that they get lost in the Courts. The Mayor requested Council President Holloway who is the Chair of the Laws Committee, that at the committee meeting every month to add on to the agenda and speak with Mr. Esposito of any updates of those six properties in question. The Mayor stated that it should be a recurring report that occurs at the Laws and Ordinance Committee meeting. The Mayor said if this is part of the regular ordinance committee meeting agenda that we will be able to maintain the progress on getting these properties cleaned up.

APPROVAL OF MINUTES:

Upon motion made by Councilman Holloway, seconded by Councilwoman Pascrell and unanimously passed on roll call vote the Regular Meeting minutes of April 3, 2013 were approved.

Mayor's Report:

April 4, 2013, Mr. Galland and I attended a meeting in Wayne hosted by Senator O'Toole where the DEP Commissioner was present, Commissioner Martin. I was rather vocal at the meeting for our concerns with the Passaic Valley Water Commissions plan to drain the reservoirs, two in Woodland Park and one in the City of Paterson. The Commissioner was sympathetic to our concerns however this is more of an EPA issue coming from the Federal Government. The Commissioner is well aware of the situation and he will go back and look at this plan and his people will reach out to me to discuss it further. We are getting tremendous support from other Communities in regards to the Resolution I sent to each of the Mayors in the Passaic Valley service area requesting their support that the Passaic Valley Water Commission hold off in draining the reservoirs until the rules and regulations are re-administered by the EPA in 2016. With regard to the decision of the Superior Court in Paterson to reverse our Planning Boards decision on the Walgreens application which is near RT. 46 on Browertown Road, the planning board will be having a special meeting on April 29, 2013 to hear this application once again in order to put conditions on the application, some of those conditions may need to go back to the Superior Court for the Judge's consideration, however the Committee of the Planning Board met with the applicant last night and had a fruitful discussion. So I am hopeful that the Walgreens will ultimately be built in Little Falls. On Wednesday April 10, 2013 the Police Chief and I met with the Woodland Park Businessman's Association and they did have some concerns about traffic patterns on McBride Ave and some concerns about speeding. They made some

recommendations that made sense that we will put into effect and down the line we will try to work with them to best accommodate them to provide for the student safety when they are attending school. I am very pleased to report that on Sunday morning we dedicated John Ciborski Park and Playground down next to Beatrice Gilmore School. John Ciborski was our former Mayor in 1961 and 1962. The opening day of baseball and softball was on Sunday morning and the ceremony was great. The soccer and football field area where we had to lay new sod is coming back nicely. This year we were able to replace all the fencing and one of the back stops in addition to adding new player benches and new up to code and safe bleachers. There is more to come with the installation of the cement pads underneath the bleacher areas, the sun shelter, and the picnic area. With the sale of the 50/50, I want to thank the Fire Department and the Centennial Committee for raising $10,000.00. I want to thank Kevin Galland and his office for being the hub of tickets sales. Monday, I will go to Memorial School and speak to the 8th grade classes about our youth program. The speeches that the 8th graders will hold are to be held on Thursday and than our youth month will be kicked off in May. On Monday April 29, 2013 from 6-8pm councilwoman Kallert and I will be holding mobile office hours at Four Seasons at Great Notch Club House in their Library.

Committee Reports:

Administration & Finance – Councilwoman Gatti reported that at our meeting Mr. Galland was talking about the three homes on Bergan Blvd. Everything is quiet on that right now. Councilwoman Gatti requested that the residents on Bergen Blvd hold on and that they will be kept on the list. As for the Radcliff, we almost had that locked up but at this time it is at a stand still. As for the Greenway, the house that we participated in for the disability on the resident seems like it went through quite well. The Bergen Blvd and the Radcliff are all at a hold.

Public Works – Councilman Spinelli reported that we are seeking grants for handicapped curbing throughout the whole borough. We have our five year street surfacing plan, it should be up and going on our website so our residents can see where we are going in the next five years and we are also assuring our residents that on Pitts, Winslow, Barley and Willow Way our resurfacing will start this summer in July and will be finished by the time school starts in September. We are in the process of looking to purchase our own hot patch machine to patch up our roads. Councilman DeCesare is looking into our neighboring towns about sharing the cost of approximately a $30,000.00 for the equipment.

Public Safety – Councilman DeCesare reported that the lightening detection system has been approved in three towns and that Mr. Galland is drawing up paperwork for the purchasing agreement. Last meeting we had a resident at 101 Pompton Ave that came up to speak about speeding. The next day we put the speed trailer there and I had Sgt. Brady go down with me and access the situation on what signs we will need. The next meeting will be held on April 22, 2013.

Health & Senior Services – Councilwoman Kallert reported that the Heath Fair is on Saturday April 27, 2013. All of our vendors are in place. We have secured the senior bus and it will be running that day. If you need to take the bus you need to be on this list by Friday April 26, 2013 by noon. How you can get on that list is call Anna Mae's office and the list is created there. There is a Regional Flood Board Meeting tomorrow. There is money in the budget, $290,000.00 and $240,000.00, one amount is going to the final stages of the Passaic River and the other amount is going to the Peckman River.

Recreation & Community Relations – Councilwoman Pascrell reported we still have early registration for camp the last day for enrollment is Monday April 22, 2013. The fishing contest is this Saturday at 9 A.M. at Zaccaria Park.

Laws & Ordinances – Council President Holloway summarized the four ordinances being adopted at this meeting.

Municipal Attorney's Report:

Mr. Buglione at this time states there was nothing to report and will be going into Executive Session.

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 this Governing Body, and if so removed, will be acted upon as a separate matter.

A. **Resolution R13-126, a resolution to authorizing the Tax Collector of the**

B. **Borough of Woodland Park to return the total of $40,882.01 to M & D Associates, PO Box 196, Hawthorne, NJ 07507 for the redemption payment of a lien and premium with regard to 30 Marcellus Ave, Woodland Park, and to adjust the books and records accordingly.**

LIEN REDEMPTION

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 $40,882.01 was made on April 9, 2013 with reference to property located at 30 Marcellus Ave, Woodland Park; and

WHEREAS, the redemption certificate has been received in the Tax Office and, therefore, the amount of $40,882.01 is to be returned to the lien holder, M & D Associates, PO Box 196, Hawthorne, NJ, 07507; and

WHEREAS, the Tax Collector of the Borough of Woodland Park has requested a lien redemption of said payment to be made to M & D Associates;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to return the total of $40,882.01 for the redemption payment of the lien to M & D Associates, PO Box 196, Hawthorne, NJ; and

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to return the total of $40,882.01 for the redemption payment of the lien and premium; and

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

C. **Resolution R13-127, a resolution authorizing a change of the custodian of the Administration's Petty Cash fund from Nancy Ferrigno to Courtney Fitzpatrick.**

AMEND RESOLUTION R13-023

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, it is the desire of the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, adopted resolution R13-023 on January 2, 2013 to establish such funds for the following:

Administration Office in the amount of $200.00

WHEREAS, Nancy Ferrigno was custodian of the Administrative Petty Cash Fund, whereas Nancy Ferrigno is no longer employed with the Borough of Woodland Park; and

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 Courtney Fitzpatrick to be the custodian to the Administrative Office effective April 17, 2013, two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

D. Resolution R13-130, a resolution authorizing the appropriate administration staff to refund the amount of $68.11 to 264 Lackawanna Ave Associates, 810 Sussex Road, Franklin Lakes, New Jersey representing the balance of their escrow account associated with a Planning Board application.

RETURN OF ESCROW

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 264 Lackawanna Ave Associates, 810 Sussex Road, Franklin Lakes, New Jersey for a refund of the balance of their escrow account associated with a Planning Board application; and
WHEREAS, the Mayor and Council are in receipt of a recommendation from Felix Esposito,

Code Enforcement Officer to return said escrow to 264 Lackawanna Ave Associates;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of $68.11 to 264 Lackawanna Ave Associates, 810 Sussex Road, Franklin Lakes, New Jersey.

E. Resolution R13-136, a resolution authorizing the Borough's Grant Writer, Chris Sprague of Millennium Strategies, to file an amended CDBG application on behalf of the Borough to construct American with Disability Act (ADA) compliant curbing throughout the Borough; and that the Borough Administrator is hereby authorized to represent the Borough in all matters relating to this application, which includes signing and executing all relative documents.

AMEND RESOLUTION R13-54
CDBG APPLICATION

WHEREAS, on February 6, 2013, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, authorized (R13-54) the Borough's Grant Writer, Chris Sprague of Millennium Strategies, to file a grant application for a 2013 Passaic County Community Development Block Grant (CDBG) for the installation of a sewer line in the area of Mountain Avenue within the Borough, which was filed in a timely manner; and

WHEREAS, after consultation with representatives from Passaic County it has been determined that the original proposed work effort (sewer line in the area of Mountain Avenue) does not meet the criteria of a CDBG; and

WHEREAS, the Mayor and Council now desire to amend the Borough's application to apply for a CDBG to construct American with Disability Act (ADA) compliant curbing throughout the Borough; and

WHEREAS, there is no requirement to match any grant funds received by the Borough;

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 Borough's Grant Writer, Chris Sprague of Millennium Strategies, to file an amended application on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Administrator is hereby authorized to represent the Borough in all matters relating to this application, which includes signing and executing all relative documents.

F. Resolution R13-137, in conjunction with the Centennial Celebration, a

resolution authorizing the payment for deposits to secure the services of bands in the amount of $2,000.00; that the payment of $12,688.00 be made to the vendors listed in the resolution for materials provided in conjunction with said Centennial Celebration and to the winners of the 50/50 raffle; and that said payments shall be made from the Centennial Celebration Trust Account.

AUTHORIZATION TO PAY DEPOSITS AND BILLS

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, will be celebrating its 100 year anniversary in 2014; and

WHEREAS, the Mayor and Council have established a Centennial Celebration Committee (Committee) to plan said event; and

WHEREAS, said Committee desires to secure the services of the following bands to perform on May 17, 2014, with a rain date of May 18, 2014;

BAND	PRICE	DEPOSIT
David Christopher Band	$5,000.00	$1,500.00
Aqua String Band	$2,750.00	$500.00
Essex County Police & Fire Pipe Band	$1,500.00	-0-
Police Pipes & Drums of Morris County	$1,400.00	-0-

and

WHEREAS, said Committee has also incurred the following expenses associated with this event; whereby vendors need to be paid;

VENDOR	EXPLANATION	COST
Four Star Color, Inc.	Save The Date Postcards	$1,458.00
American Graphic Systems	Custom Signage	$1,230.00
Stephen Garofalo	50/50 Winner	$5,000.00
Lavderim Sabani	50/50 Winner	$5,000.00

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby authorize the payment in an amount of $2,000.00 to the two listed bands requiring a deposit to secure their services on the date shown; and the payment of $12,688.00 to the vendors listed for materials provided in conjunction with said Centennial Celebration and the winners of the 50/50 raffle. Said charges shall be made from the Centennial Celebration Trust Account.

G. Resolution R13-131, a resolution awarding a contract to Rich Picerno

Builders, LLC, 500 Hoiles Drive, Kenilworth, New Jersey for the provision and installation of a Splash Pad at Zaccaria Park in an amount not to exceed $200,000.00.

AWARD OF CONTRACT
SPLASH PAD ZACCARIA PARK

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, have the desire to award a contract for the Splash Pad Zaccaria Park; and

WHEREAS, a bid document was prepared to solicit bids for this service; and

WHEREAS, the bid was designed that an award would be made to the lowest responsive/responsible bidder; and

WHEREAS, this project will be funded by the Passaic County Open Space Trust Fund; and

WHEREAS, this bid was advertised on March 27, 2013 in the Herald News in compliance with the New Jersey State Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

WHEREAS, on April 11, 2013 at 11:00 a.m., two (2) bids were received as follows:

Rich Picerno Builders, LLC	Base Bid	Alternate A	Alternate B	Alternate C
	$149,850.00	$$29,100.00	$11,550.00	$8,000.00
StoneRidge, INC	Base Bid	Alternate A	Alternate B	Alternate C
	$173,650.00	$28,250.00	$18,800.00	$10,000.00

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 award a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, New Jersey for the provision and installation of Splash Pad at Zaccaria Park, to include the work effort contained in the "Base Bid" along with Alternates A and C in an amount not to exceed $200,000.00.

H. Resolution R13-138, a resolution authorizing the purchase of one (1) Toro Infield Pro 5040 from Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876, under the Middlesex Regional Educational Services Commission Cooperative in an amount not to exceed $20,800.98; said purchase shall be made with funds from the Borough's 2012 Bond Ordinance (12-09) line C (ii).

AWARD OF CONTRACT
PURCHASE OF TORO INFIELD PRO 5040
FIELD MAINTENACE MACHINE - DPW

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to purchase one (1) Toro Infield Pro 5040; equipped with an 18 horsepower two-cycle engine with a Donaldson three-stage sealed air filtration, power steering, series/parallel hydraulic traction circuit, 11 MPH transport speed, three wheel drive in forward and reverse, lift valve with float position and rear quick attach mount and various attachments as listed on the enclosed quote; and

WHEREAS, said equipment is available from Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876 under the Middlesex Regional Educational Services Commission Cooperative contract (NJ State Approved Co-Op #65MCESCCPS, Bid #MRESC 12/12-24); and

WHEREAS, the Borough of Woodland Park is a member of the Middlesex Regional Educational Services Commission Cooperative and is able to purchase said equipment under the above referenced contract; and

WHEREAS, funds are available for this purchase from the Borough's 2012 Bond Ordinance (12-09) line C (ii);

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 purchase of one (1) Toro Infield Pro 5040; equipped with an 18 horsepower two-cycle engine with a Donaldson three-stage sealed air filtration, power steering, series/parallel hydraulic traction circuit, 11 MPH transport speed, three wheel drive in forward and reverse, lift valve with float position and rear quick attach mount and various attachments as listed on the enclosed quote from Storr Tractor Company, 3191 Route 22, Somerville, NJ 08876, under the Middlesex Regional Educational Services Commission Cooperative contract (NJ State Approved Co-Op #65MCESCCPS, Bid #MRESC 12/12-24) in an amount not to exceed $20,800.98; and

BE IT FURTHER RESOLVED that said purchase shall be made with funds from the

Borough's 2012 Bond Ordinance (12-09) line C (ii);

I. Resolution R13-139, a resolution supporting S-1896/A-1503, sharing the burden of property assessment appeal refunds.

RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS

WHEREAS, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

WHEREAS, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

WHEREAS, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

WHEREAS, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

WHEREAS, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

WHEREAS, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

WHEREAS, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

WHEREAS, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

WHEREAS, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

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 urge the swift passage and signing of S-1896/A-1503; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker

Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

J. Resolution R13-140, a resolution authorizing Woodland Park Range LLC, 1267 McBride Avenue, Woodland Park, NJ 07424, to hold an outdoor event on April 20, 2013 at said location between the hours of 10 am to 4 pm for approximately 225 people.

APPROVAL OF OUTDOOR EVENT APPLICATION WOODLAND PARK RANGE LLC

WHEREAS, the Municipal Clerk of the Borough of Woodland Park, County of Passaic, State of New Jersey is in receipt of an Outdoor Event Application from Woodland Park Range LLC, 1267 McBride Avenue, Woodland Park, NJ in compliance with the requirements of Borough Ordinance 09-04 (Crowd Control); and

WHEREAS, said application is in compliance with the Borough Ordinance in that it provides a description of the event, cook out; location, front parking lot; start and end times, 10 am to 4 pm; contact information, phone number and email address; site diagram; proof of insurance; and provided the $250.00 fee; and

WHEREAS, the Police Department; Fire Department; Code Enforcement; and Board of Health have reviewed the application and find no objection to the holding of this event;

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 Woodland Park Range LLC, 1267 McBride Avenue, Woodland Park, NJ 07424, to hold an outdoor event on April 20, 2013 at said location between the hours of 10 am to 4 pm for approximately 225 people.

K. Resolution R13-141, a resolution to approve the actions noted in the Consent

L. Agenda, items A. through I., be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVAL OF CONSENT AGENDA

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 necessary action on same.

Upon motion made by Counsel President Holloway, and seconded by Councilman DeCesare, and unanimously passed on roll call vote, Resolution R13-141 was adopted.

Collector/Treasurer Report:

CFO**,** Frederick J. Tomkins recommends authorization for payment:

Upon motion made by Councilwoman Gatti, seconded by Councilman Pascrell and unanimously passed on roll call vote, the Council confirmed the payment of the April 30, 2013 regular and miscellaneous payroll estimated at $225,000.00.

Upon motion made by Council President Holloway, seconded by Councilwoman Kallert and unanimously passed on roll call vote, the Council confirmed the payment of bills listed on the April 14, 2013 voucher list totaling $2,115,213.64.

Department Reports:

1. Police Report for March 2013
2. Fire Department Report for March 2013
3. Planning Board Minutes for February 11, 2013
4. Summary Budget Status Report April 12, 2013

Old Business:

A. Public Hearing on Borough Ordinance 13-05

Upon a Motion made by Councilman DeCesare, seconded by Council President Holloway and passed on roll call vote, a public hearing was opened on ordinance No. 13-05.

With no residents wishing to be heard, upon a Motion made by Council President Holloway, seconded by Councilwoman Pascrell and passed on roll call vote, the public hearing was closed.

B. RESOLUTION R13-132, adoption of Borough Ordinance 13-05

ADOPTION OF BOROUGH ORDINANCE NO. 13-05

AN ORDINANCE PROVIDING FOR THE REGULATION AND REGISTRATION OF CLOTHING DONATION BINS WITHIN THE BOROUGH OF WOODLAND.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled AN ORDINANCE PROVIDING FOR THE REGULATION AND

REGISTRATION OF CLOTHING DONATION BINS WITHIN THE BOROUGH OF WOODLAND; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 8, 2013, setting the date of April 17, 2013 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 April 17, 2013 at the regularly scheduled meeting of the Mayor and Council;
NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled AN ORDINANCE PROVIDING FOR THE REGULATION AND REGISTRATION OF CLOTHING DONATION BINS WITHIN THE BOROUGH OF WOODLAND 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 Ordinance according to law.

Upon a Motion made by Council President Holloway, seconded by Councilman Spinelli, the aforegoing resolution was unanimously adopted on roll call vote.

ORDINANCE No. 13-05

WHEREAS, the control of the location of Clothing Donation Bins has become a matter of public concern as they may effect the health and safety of residents of this community; and

WHEREAS, residents making donations utilizing said bins are entitled to information regarding the entities receiving said donations; and
WHEREAS, pursuant to N.J.S.A. 40:48-2.60 et seq. entities utilizing said bins for the receipt of donations are required to obtain a permit from the municipality allowing such use;

Be IT ORDAINED By the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey as follows:

The Code of the Borough of Woodland Park be and is hereby amended to add as Chapter 35, Clothing Donation Bins.

1. Chapter 35-1. Clothing Donation Bins of the Code of the Borough of Woodland Park shall read as follows:

§35-1. Licensing of Clothing Donation Bins.

Notwithstanding any other provision of law to the contrary, no person shall place, use, or employ a Clothing Donation Bin within the Borough for solicitation purposes unless all of the following requirements are met:

A. The Clothing Donation Bin is owned or sponsored by a charitable organization registered pursuant to N.J.S.A. 45:17A-18 et seq., or is sponsored by any department of the Borough;

B. The registered charitable organization has obtained a permit, valid for a specific period of time, from the Borough's Code Enforcement Official in accordance with the following:

(1) In its application for such a permit, the registered charitable organization shall indicate:

[a] The location where the bin is currently situated or proposed to be situated;

[b] The manner in which the charitable organization anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed and the method by which the proceeds of collected donations would be allocated or spent;

[c] The name and telephone phone number of the bona fide office of the charitable organization and any entity which may share or profit from any clothing or other donations collected via the bin; and

[d] Written consent from the property owner to place the bin on its property.

(2) The Code Enforcement Official shall not grant a permit to place, use, or employ a Clothing Donation Bin if he/she determines that the placement of the

bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a Clothing Donation Bin within one hundred (100) yards of

any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.

(3) The Code Enforcement Official shall impose a fee for such application, in the amount of twenty-five ($25.00) dollars annually for each bin to offset the costs involved in enforcing this section.

(4) An expiring permit for a Clothing Donation Bin may be renewed upon application for renewal and payment of the applicable annual fee. Such application for renewal shall include information detailing:

[a] The location where the bin is situated, and, if the person intends to move it, the new location where the bin would be situated after the renewal is granted and written consent from the property owner to place the bin on its property is obtained;

[b] The manner in which the charitable organization has used, sold, or dispersed any clothing or donations collected via the bin; the method by which the proceeds of collected donations have been collected or spent; and any changes the charitable organization anticipates it may make in the processes during the period covered by renewal; and

[c] The name and telephone number of the bona fide office of the charitable organization and of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal.

[5] The permit number and its date of expiration shall be clearly and conspicuously displayed on the exterior of the Clothing Donation Bin in addition to the information required pursuant to Section 35-1D of this section.

C. The registered charity, and any other entity which may share or profit from any clothing or other donations collected via the bin maintains a bona fide office where a representative of the charitable organization or other entity, respectively, can be reached at a telephone information line during normal business hours for the purpose of offering information

April 17, 2013 123

D. concerning the charitable organization or other entity. For the purposes of this subsection, an answering service unrelated to the charitable organization does not constitute a bona fide office.

D. The following information shall be clearly and conspicuously displayed on the exterior of the Clothing Donation Bin:

(1) The name and address of the registered charitable organization that owns or is the sponsor of the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

(2) The registered charitable organization's charitable registration number;

(3) The telephone number of the registered charitable organization's bona fide office and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin.

(4) In cases when any entity other than the entity which owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating that clothing or other donations collected via the bin, their proceeds, or both, may be shared or given entirely to, an entity other than the entity which owns the bin, and identifying all such entities which may share or profit from such donations;

(5) A statement, consistent with the information provided to the Borough in the most recent permit or renewal application indicating the manner in which the entity anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;

(6) The telephone number and website through which information may be obtained from the Division of Consumer Affairs regarding the charitable organization that owns the bin.

§35-2. Duty to Maintain and Service Bins.

It shall be the duty of each registered charitable organization issued a permit hereunder to properly maintain and service any Clothing Donation Bin placed within the Borough so as to prevent such clothing bin from creating any nuisance, hazardous or unsafe condition.

§35-3. Enforcement and Limitation on Licenses.

The Code Enforcement Official or other person designated by the Borough Council as a person authorized to enforce the provisions of this section shall, upon receipt of a complaint by a local resident or any other person that a Clothing Donation Bin is causing a nuisance, hazardous or unsafe condition, investigate such complaint and take such enforcement action as is permitted pursuant to N.J.S.A.40:48-2.62 and N.J.S.A. 40:48-2.63. The Code Enforcement Official shall

April 17, 2013 125

not be authorized to issue more than eight (8) total Clothing Donation Bin permits within the Borough, and no more than two (2) at any given site.

§35-4. Violations, Penalties and Revocation of License.

Any licensee who violates any provision of this section and fails to cure such violation

Within 48 hours of notice of such violation shall be subject to the following penalties, in addition

to those penalties and remedies set forth in N.J.S.A. 40:48-2.62 and 40:48-2.63:

(1) For the first offense: $100 per day.

(2) For the second offense: $250 per day.

(3) For the third offense: mandatory revocation of permit.

§35-5. Exemptions.

1. The owner of any Clothing Donation Bin which is sponsored by any department of the Borough shall be required to comply with the licensure requirements hereof, but shall specifically be exempt from the fee requirement hereof.

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

4. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

C. Public Hearing on Borough Ordinance 13-06

Upon a motion made by Councilman DeCesare, seconded by Councilwoman Kallert and passed on a roll call vote, a public hearing was opened on Ordinance No. 13-06.

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

D. RESOLUTION R13-133, adoption of Borough Ordinance 13-06

ADOPTION OF BOROUGH ORDINANCE NO. 13-06

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE" TO PROHIBIT PARKING ON ROCKLAND AVENUE, FOR THE ENTIRE LENGTH OF THE CURBLINE TO THE EAST, FROM THE INTERSECTION OF SQUIRRELWOOD ROAD TO WOODROW AVENUE.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE" TO PROHIBIT PARKING ON ROCKLAND AVENUE, FOR THE ENTIRE LENGTH OF THE CURBLINE TO THE EAST, FROM THE INTERSECTION OF SQUIRRELWOOD ROAD TO WOODROW AVENUE; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 8, 2013, setting the date of April 17, 2013 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 April 17, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE" TO PROHIBIT PARKING ON ROCKLAND AVENUE, FOR THE ENTIRE LENGTH OF THE CURBLINE TO THE EAST, FROM THE INTERSECTION OF SQUIRRELWOOD ROAD TO WOODROW AVENUE 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 Ordinance according to law.

ORDINANCE No. 13-06

AN ORDINANCE TO AMEND CHAPTER VII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS THE "TRAFFIC ORDINANCE" TO PROHIBIT PARKING ON ROCKLAND AVENUE, FOR THE ENTIRE LENGTH OF THE CURBLINE TO THE EAST, FROM THE INTERSECTION

OF SQUIRRELWOOD ROAD TO WOODROW AVENUE.

WHEREAS, the Borough of Woodland Park hereby adopts this Ordinance, to amend Chapter VII of the Ordinances as to the Borough of Woodland Park, which are also known as the Traffic Ordinances.

Specifically through this Ordinance, vehicles will no longer be permitted to park on the curbline to the East on Rockland Avenue for its entire length, from Squirrelwood Road to Woodrow Avenue.

WHEREAS, all other provisions of the Woodland Park Traffic Ordinances, and New Jersey State Statutes regarding parking, will still be in full effect, and are not hereby amended.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, as follows:

I. Chapter VII of the Ordinances of the Borough of Woodland Park, which are known as the Traffic Ordinances, which allows parking on Rockland Avenue, are hereby amended, as follows:

> "Parking will no longer be permitted or allowed on Rockland Avenue on the curbline to the East from the intersection of Squirrelwood Road to Woodrow Avenue."

<u>VIOLATION:</u>

Any motor vehicle operator who violates the provisions of this Ordinance will be fined Sixty ($60.00) Dollars, and their motor vehicle will be towed at the motor vehicle owner's expense, as this area has been identified as a dangerous area when motor vehicles are parked there.

If any motor vehicle operator is found to have violated this Ordinance and refuses to pay the same, his or her driving privileges may be suspended by a Court of competent jurisdiction. The Chief of Police is hereby directed to co-ordinate the installation of proper signage and/or pavement markers – to call attention to the provisions of this article, to be erected along Rockland Avenue.

II. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

III. If any section, paragraph, subdivision or provision of the subsection shall be adjudged invalid, such adjudication shall apply only to the paragraph, subdivision clause or provision so adjudged and the remainder of the subsection shall be deemed valid and effective.

Upon a motion made by Councilwoman Pascrell, seconded by Councilman Spinelli, the aforegoing resolution was unanimously adopted on roll call vote.

E. Public Hearing on Borough Ordinance 13-07

Upon a motion made by Councilman DeCesare, seconded by Councilwoman Pascrell and passed on roll call vote, a public hearing was opened on Ordinance No. 13-07.

With no residents 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.

F. RESOLUTION R13-134, adoption of Borough Ordinance 13-07

ADOPTION OF BOROUGH ORDINANCE NO. 13-07

AN ORDINANCE TO ESTABLISH AN INDUSTRIAL ADAPTIVE REUSE DISTRICT WHICH REPLACES THE INDUSTRIAL DISTRICT TO ALLOW THE CONTINUED VIABILITY OF THE EXISTING INDUSTRIAL AREA AND NEGATE THE NEED FOR COMPATIBLE USES TO APPLY FOR USE VARIANCES.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled AN ORDINANCE TO ESTABLISH AN INDUSTRIAL ADAPTIVE REUSE DISTRICT WHICH REPLACES THE INDUSTRIAL DISTRICT TO ALLOW THE CONTINUED VIABILITY OF THE EXISTING INDUSTRIAL AREA AND NEGATE THE NEED FOR COMPATIBLE USES TO APPLY FOR USE VARIANCES; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 8, 2013, setting the date of April 17, 2013 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 April 17, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled AN ORDINANCE TO ESTABLISH AN INDUSTRIAL ADAPTIVE REUSE DISTRICT WHICH REPLACES THE INDUSTRIAL DISTRICT TO ALLOW THE CONTINUED VIABILITY OF THE EXISTING INDUSTRIAL AREA AND NEGATE THE NEED FOR COMPATIBLE USES TO APPLY FOR USE VARIANCES 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

Ordinance according to law.

ORDINANCE No. 13-07

Establishment of an INDUSTRIAL ADAPTIVE REUSE District

A. Purpose. To establish an Industrial Adaptive Reuse District which replaces the Industrial District to allow the continued viability of the existing industrial area and negate the need for compatible uses to apply for use variances.

B. Definitions.

a. Sit-Down Restaurant – an establishment where food and drink are prepared, served and consumed, mostly within the principal building, where table service is provided.

b. Fast-Casual Restaurant - an establishment where food and drink are prepared by order, served, and consumed, mostly within the principal building, where no table service is provided.

c. Café - an establishment where food is pre-prepared off-site, and drinks are prepared on- or off-site; all served, and consumed, mostly within the principal building, where no table service is provided. No cooking facilities are provided in the establishment.

d. Fast-Food Restaurant - an establishment where food and drink are pre-prepared, served, and consumed, mostly within the principal building, served at a counter or drive-through window, where no table service is provided.

Lot Coverage – area of the lot covered by impervious surfaces, including all structures (including decks).

e. Impervious Surface – a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration and that has a coefficient of run-off of 0.75 or greater. No more than 50% of graveled areas shall be permitted to be applied as a pervious surface.

f. Building Coverage – the area of the lot covered by structures.

g. Floor Area Ratio - The gross floor area of building or structures on a lot divided by the gross total lot area.

h. Gross Floor Area - The sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies from the exterior face of the exterior walls or from the centerline of a common wall

i. Separating two buildings, but excluding any space with floor-to-ceiling height of less than six (6) feet six (6) inches. This does not include balconies, terraces or roofs.

In determining the gross floor area, any floor space that is constructed or intended to be used solely for parking motor vehicles, loading or unloading of motor vehicles, or for refuse storage chambers, refuse storage and material recovery chambers, material recovery chambers, refuse storage and material recovery rooms, refuse chutes, other types of facilities provided for the separation of refuse, or for access facilities for telecommunications and broadcasting services, or occupied solely by machinery or equipment for any lift, air-conditioning or heating system or any similar service, shall be excluded from the gross floor area of a building.

C. Permitted uses. In the Industrial Adaptive Reuse District no buildings or structures shall be erected nor shall any land or building be designed, used or intended to be used for any purpose other than the following:

1. Principal permitted uses. Light industrial and manufacturing uses within a full y enclosed building; warehousing except storage of highly combustible or explosive matter, or any other material deleterious to the health, safety, and welfare of the public; art galleries and studios; workshops for craftsmen with or without a wholesale component; if provided, showroom will not exceed 10% of the total square footage of the use; business and professional offices; recreational uses, including karate, gymnastics, specialized training centers for sports, dancing schools, and other similar uses, including indoor fields; food-co-ops and indoor farmers markets; spas and fitness facilities; dog and cat grooming facilities; auto detailing facilities; commercial laundries; self-storage; skating rinks

2. Accessory uses. Off-street parking and loading facilities; signs; accessory storage within a fully enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises; cafes; fences and walls; and other customary accessory uses and buildings which are clearly incidental to the principal uses and buildings permitted in this zone.

3. Conditional uses: Churches and essential services, as defined and regulated by the chapter.

4. Prohibited uses: auto body shops; gas stations; adult uses; single and two-family dwellings; townhouses; private clubhouses; auto sales and repair; commercial laundries; package liquor stores; tattoo parlor; building or construction supply business.

D. Bulk Regulations.

1. Front Yard Setback: 20’

2. Rear Yard Setback: 30’

3. Side Yard Setback: 20’

4. Buffers:

   a. 15’ to R.O.W.

5. Maximum Building Coverage: 70%.

6. Maximum Lot Coverage: 85%.

7. Maximum Height: 2 stories/35’

8. Maximum Floor Area Ratio (F.A.R.): 2.0

E. Signage.

1. Number of Signs. Each commercial use shall be entitled to one wall-mounted, canopy, or awning sign, except that where a building has street frontage on more than one street, one additional sign may be permitted. Any permitted use within a building having an exterior wall facing an off-street parking area may have a second principal sign on said wall if that wall contains a pedestrian entrance to said permitted use. In the event that a building has frontage on 2 streets and a rear entrance, 3 signs shall be permitted, however, the size of the 3rd sign is limited to 50% of the size of the largest sign.

2. Size of Wall Signs. Wall signs for each tenant shall be limited to 2' in height and 90% of the width of the business, lettering shall be limited to 18" in height.

3. Sign Advertisement. Wall signs shall advertise only the permitted use, products or service on the premises on which they are displayed.

4. Canopies/ Awnings. Canopies, perpendicular signage and awnings shall be permitted with a minimum vertical clearance of 8.5 feet, a maximum overall height of five feet. Lettering on a canopy or awning shall be limited to the valance area and shall not exceed 80% of the linear width of the valance. The valance shall be no more than one foot in height, and lettering on the valance shall be limited to six inches in height.

5. Window signs. Window display signs, as well as affixed window signs are permitted, provided that the aggregate area employed for such purpose shall not exceed 25% of the total window area on which it is located. Signs are limited to limited to show manufacturers' or required licenses, to indicate membership in a retail or professional organization or credit card or credit association, or advertisements referable to sales within, shall be permitted to be attached to windows on the interior of the business use.

6. Multi-tenant Developments. In the case of multi-tenant developments, a sign plan shall be submitted for approval and shall include the following: letter style and size, illumination details, color, construction materials, locations and height above grade; location relative to lot lines, landscaping and on-site lighting fixtures; an indication of the location of site identification signs. A unified design theme shall be provided which integrates the architectural design, materials and colors of the primary structure, facade signs, freestanding signs, landscaping and lighting fixtures

   i. One free-standing monument sign shall be permitted for multi-tenant developments no greater than 20SF for each side of the sign and 6' in height.

F. Parking.

a. Location. Parking is not permitted in front yards.

b. Cross easements. Cross easements are permitted.

c. Off-site Parking. Off-site parking is permitted within 800' of the subject property.

d. (Reduction in) Cumulative parking requirements. Cumulative parking requirements for mixed-use occupancies or shared facilities may be reduced where it can be determined that the

e. peak requirements of the several occupancies occur at different times (either daily or seasonally). The submittal requirements for a parking reduction request vary according to the

f. method used to determine the parking reduction. The reduction methods and accompanying submittal requirements are outlined in this section. In all cases, a shared parking operations plan must be prepared to the satisfaction of the Department of Planning showing that parking spaces most conveniently serve the land uses intended, directional signage is provided if appropriate, and pedestrian links are direct and clear. On-street parking spaces

g. wholly adjacent to the property may be included in the required minimum. Three methods for determining a parking reduction are as follows:

   a. Intermittent or Seasonal Non-conflicting Uses

i. When required parking reductions are predicted as a result of sharing between intermittent or seasonal uses with non-conflicting parking demands (e.g. a church and a bank), then the reduction can be considered for approval by the appropriate board without demand calculations or a parking study. Individual spaces identified on a site plan for shared users shall not be shared by more than one user at the same time.

ii. If a privately owned parking facility is to serve two or more separate properties, then a "Shared Parking Agreement" shall be filed with the Borough for consideration by the Board. Unless explicitly stated to the contrary, the property owner of the parking facility accepts responsibility for operating, maintaining and accepting liability for personal injury and property damage.

b. Parking Occupancy Rate Table

i. When the parking reduction has been shown to be feasible by using the demand calculations as determined by Table 1 below, Parking Occupancy Rates, the applicant shall submit a parking demand summary sheet showing the process for calculating the reduction as outlined in this section.

ii. The minimum number of parking spaces that are to be provided and maintained for each use shall be determined based on standard methods for determining minimum parking supply at a particular site.

iii. The gross minimum number of parking spaces shall be multiplied by the "occupancy rate" as determined by a study of local conditions (or as found in Table 3), for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.

iv. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period.

v. The greatest of the aggregative gross minimum numbers of parking spaces for each period shall be determined.

TABLE 1
PARKING OCCUPANCY RATES

Uses	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Residential	60%	100%	100%	80%	100%	100%
Office/ Warehouse /Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference/Convention	100%	100%	5%	100%	100%	5%
Institutional (non-church)	100%	20%	5%	10%	10%	5%
Institutional (church)	10%	5%	5%	100%	50%	5%

Upon motion made by Council President Holloway, seconded by Councilwoman Pascrell, the aforegoing resolution was unanimously adopted on roll call vote.

G. Public Hearing on Borough Ordinance 13-08

Upon a motion made by Councilman DeCesare, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened on Ordinance No. 13-08.

With no residents wishing to be heard, upon a motion made by Councilwoman Pascrell, seconded by Councilman DeCesare and passed on roll call vote, the public hearing was closed.

H. RESOLUTION R13-135, adoption of Borough Ordinance 13-08

ADOPTION OF BOROUGH ORDINANCE NO. 13-08

AN ORDINANCE TO ESTABLISH A COHESIVE CENTRAL BUSINESS DISTRICT WITH A COORDINATED AND AESTHETICALLY ATTRATIVE COMPOSITION OF BUILDING FACADES

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled AN ORDINANCE TO ESTABLISH A COHESIVE CENTRAL BUSINESS DISTRICT WITH A COORDINATED AND AESTHETICALLY ATTRATIVE COMPOSITION OF BUILDING FACADES; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated April 8, 2013, setting the date of April 17, 2013 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 April 17, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled AN ORDINANCE TO ESTABLISH A COHESIVE CENTRAL BUSINESS DISTRICT WITH A COORDINATED AND AESTHETICALLY ATTRATIVE COMPOSITION OF BUILDING FACADES 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 Ordinance according to law.

ORDINANCE No. 13-08

Establishment of a CBD District

G. Purpose. To establish a cohesive Central Business District with a coordinated and aesthetically attractive composition of building facades. The objective is for the major thoroughfares, particularly McBride Avenue, to maintain their regional service status, but also become a destination spot for the region through improved conditions and establishment of an "image" identifying the district. The downtown serves both the region and local residents as a place to live, work, and take advantage of civic, cultural, educational, shopping, and entertainment opportunities. The downtown districts are intended to allow a mixture of land uses, dense urban development, pedestrian orientation, unique residential opportunities, and a compatible and attractive mix of historic and contemporary building design.

H. Definitions.

a. Sit-Down Restaurant – an establishment where food and drink are prepared, served and consumed, mostly within the principal building, where table service is provided.

b. Fast-Casual Restaurant - an establishment where food and drink are prepared by order, served, and consumed, mostly within the principal building, where no table service is provided.

c. Café - an establishment where food is pre-prepared off-site, and drinks are prepared on-or off-site; all served, and consumed, mostly within the principal building, where no table service is provided. No cooking facilities are provided in the establishment.

d. Fast-Food Restaurant - an establishment where food and drink are pre-prepared, served, and consumed, mostly within the principal building, served at a counter or drive-through window, where no table service is provided.

e. Lot Coverage – area of the lot covered by impervious surfaces, including all structures (including decks).

f. Impervious Surface – a surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration and that has a coefficient of run-off of 0.75 or greater. No more than 50% of graveled areas shall be permitted to be applied as a pervious surface.

g. Building Coverage – the area of the lot covered by structures.

h. Floor Area Ratio - The gross floor area of building or structures on a lot divided by the gross total lot area.

i. Gross Floor Area - The sum of the gross horizontal areas of all enclosed floors of a building, including cellars, basements, mezzanines, penthouses, corridors, and lobbies from the exterior face of the exterior walls or from the centerline of a common wall separating two buildings, but excluding any space with floor-to-ceiling height of less than six (6) feet six (6) inches. This does not include balconies, terraces or roofs.

In determining the gross floor area, any floor space that is constructed or intended to be used solely for parking motor vehicles, loading or unloading of motor vehicles, or for refuse storage chambers, refuse storage and material recovery chambers, material recovery

chambers, refuse storage and material recovery rooms, refuse chutes, other types of facilities provided for the separation of refuse, or for access facilities for telecommunications and broadcasting services, or occupied solely by machinery or equipment for any lift, air-conditioning or heating system or any similar service, shall be excluded from the gross floor area of a building.

I. Permitted uses. In the Central Business District no buildings or structures shall be erected nor shall any land or building be designed, used or intended to be used for any purpose other than the following:

5. Principal permitted uses. Art galleries and studios; workshops for craftsmen with a retail component only; banks (no drive-thrus); business, professional, and medical offices; financial institutions; multifamily residential above the first story of any structure in which the first floor is devoted to retail and/or service commercial use; retail and service commercial uses, including spas, gyms, dry cleaners, tailors, retail florists, ice cream shops, coffee shops, educational uses, and drug stores; recreational uses (karate, dance studio, etc.); movie theaters, concert halls and exhibition galleries, and other similar entertainment uses (requiring a license by the Borough); package liquor stores; indoor farmers market; hotels, and sit-down or fast-casual restaurants (eating and drinking establishments).

6. Accessory uses. Off-street parking and loading facilities; signs; accessory storage within a fully enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises; live entertainment to a restaurant use ((requiring a license by the Borough); recreation facilities; fences and walls; and other customary accessory uses and buildings which are clearly incidental to the principal uses and buildings permitted in this zone.

7. Conditional uses: Essential services; child-care centers; bowling alley; skating rink; outdoor dining provided a 10' sidewalk or a courtyard is provided; alcohol and drug rehabilitation centers; advertising billboard signs; outdoor farmer's market requiring a permit by the Borough.

8. Prohibited uses: auto body shops; gas stations; adult uses; single and two-family dwellings; townhouses; private clubhouses; self-storage; auto sales and repair; commercial laundries; tattoo parlor; building or construction supply business.

J. Architectural facade treatment and design. A consistent, compatible facade and massing is essential to relate on-site development with the area. New buildings are encouraged to incorporate such building elements as entrances, corners, graphic panels, display windows, etc., as a means to provide a visually attractive environment. There shall be an established architectural theme for the mixed-use buildings within the CBD, which includes facade treatments, signage, light poles, benches and other design elements. The following standards shall apply:

1. The use of materials, roofing, trim, siding, signs, window and door elements shall be consistent with traditional architectural styles. All facades must be treated with the same

2. architectural facade treatment, which shall consist of brick, finished masonry, stone, wood or a combination thereof.

3. Multi-tenant buildings shall provide varied facade treatments on storefronts and such elements as noted below for all ground floor tenants. Upper floors shall be coordinated with ground floors through complementary materials and colors.

4. A human scale of development should be achieved at grade and along street frontages through the use of such elements as windows, doors, columns, awnings and canopies. Design emphasis should be placed on primary building entrances. They should be vertical in character, particularly when there is the need to provide contrast with a long linear building footprint, and such details as pillars, columns and framing should be utilized to reinforce verticality.

5. Cornices, awnings, canopies, flagpoles, signage and other ornamental features should be encouraged as a means to enhance the visual environment. Such features may be permitted to project over pedestrian sidewalks, with a minimum vertical clearance of 8.5 feet, to within three feet of a curb.

6. A variety of building materials may be appropriate. Masonry, which works well at the base of a building, can vary in size, color and texture and enables the provision of a decorative pattern or band. Above 12 feet, it can be substituted with other complementary materials.

7. The use of fabric or metal canopies is to be encouraged, especially over storefronts, at entrances or over display windows.

K. Conditional Use Requirements.

1. Child-Care Centers.

a. Child Care centers shall be permitted with an applicable license from the State, which shall be furnished to the Borough.

b. Conform to lot size, building size, setbacks and lot coverage standards applicable to the zoning district in which the facility is located.

c. Parking shall be provided at the rate of 1 space per each staff member plus 1 drop off/pick up space per staff member.

d. A minimum of 15 square feet of outdoor play area per child per play shift shall be provided. Play areas shall be permitted in the rear and side yards only and shall be enclosed by a fence at least four feet in height and landscaped and screened from adjoining properties.

e. The proposed outdoor area shall be designed with sufficient dimensions and orientation to enable its conversion to a parking area which would serve the building if it were occupied for an alternative permitted use. An applicant for a day-care facility

f. shall be required to submit a sketch layout indicating the prospective conversion of play area to a parking use, including the location of access aisles, stall dimensions, location of parking spaces and provisions of an area for perimeter landscaping, as provided by ordinance.

g. A child-care facility may be permitted to occupy an entire building or a portion of an existing building which is partially occupied by other uses, irrespective of any other ordinance limitations on the number of principal permitted uses allowed on a lot.

The floor area occupied by a child-care center in any building for which the child-care center is an accessory use to a principal use shall be excluded in calculating any parking requirement otherwise applicable to that amount of floor space and shall be excluded from the permitted floor area ratio allowable for that building.

2. Bowling Alley.

   a. Bowling alleys shall not be contained in a free-standing building.

   b. All other bulk regulations for the district shall apply.

3. Skating Rink.

   a. Skating rinks, if provided indoors, shall not be contained in a free-standing building.

   b. All other bulk regulations for the district shall apply.

4. Alcohol and Drug Rehabilitation Facility.

   a. Alcohol and Drug Rehabilitation Facilities shall be permitted with an applicable license from the State, which shall be furnished to the Borough.

   b. Conform to lot size, building size, setbacks and lot coverage standards applicable to the zoning district in which the facility is located.

   c. Buffering. The Alcohol and Drug Rehabilitation Facility will maintain a 20' landscaped buffer around the perimeter of the property, including a 6' fence along side and rear property lines. A 4' fence shall be required along the front property line.

   d. Distance requirements: the Alcohol and Drug Rehabilitation Facility cannot be located within:

      1) 1000' of a school

      2) 1000' of a bar and/or restaurant serving alcohol

      3) 1000' of an establishment were guns are sold and/or fired

      4) 500' of a house of worship

      5) 1000' of a community center

      6) 500' of a fraternal organization, club, or similar organization

5. Advertising Billboard Signs.

   a. Definition: <u>sign, billboard</u>: A sign that directs attention to a business, commodity, goods, services or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

   b. Location: Advertising Billboard signs may only be located on a property directly adjacent to Route 80.

c. Size: the size of the face of a billboard may not exceed 700 square feet per face.

d. Setbacks: a billboard must be located a minimum of 10' from any property line.

e. Height: The total height of a billboard cannot exceed 50' from the base elevation of the sign.

f. There shall be no more than one advertising sign on a parcel; provided, however, that the advertising sign may be double-faced.

g. Billboard signs are permitted with a single display per facing.

h. Flashing, moving, and projecting signs shall be prohibited.

i. Lighting for the billboard shall be designed to minimize impacts on the area.

j. LED/Digital or similarly illuminated signs:

i. The applicant shall allow public safety advertising on the sign if the billboard sign is an LED sign that allows the advertising face to change to different advertisements during the course of a day.

ii. The lighting levels shall be subject to approval by the Board engineer, to ensure that the lighting will not impact residential neighbors.

iii. Changes in advertisement shall occur at a rate subject to approval by the reviewing Board.

L. Lighting.

a. The use of creative lighting schemes to highlight building facades and related areas of a site shall be encouraged.

b. The use of traditional-style lanterns and similar fixtures shall be required.

c. Exterior neon lights and lighting generating glare and unnecessary nightglow impacts shall be prohibited.

d. Whenever possible, light poles should be integrated into landscaped islands.

M. Street Furniture. The use of street furniture (benches, trash receptacles, etc.) shall be encouraged throughout a development, provided that the materials used are consistent with the overall concept of the building design. Sidewalks should have a width of at least 6 feet where active pedestrian corridors are located. Active pedestrian movements are encouraged and located along building frontages so as to tie buildings in the area together. Wider sidewalks may be designed for special places such as plazas or courts.

N. Retail storefront appearance required. All uses located at street level must have a front window corridor consistent with a pedestrian inviting environment.

a. Building partitions shall not be constructed within the front 25 feet as measured from the wall closest to the front lot line.

b. Windows facing any street shall not be tinted.

c. Storefront windows shall not be obscured. Window coverings on the ground floor shall be reviewed by the Board and shall maximize the appearance of an open storefront.

d. Bars or other physical security devices shall be discouraged however if installed the following shall apply:

i. Installation shall only be allowed on the interior of the building and shall be setback from the store front.

ii. Devices shall be retractable and not visible when open.

iii. Devices shall be opened during normal business hours. Normal business hours shall mean 10:00 a.m. to 11:00 p.m.

iv. The Board shall review the design and location of the installation.

O. Fences and Walls. Fences and walls shall not be permitted adjacent to any public street. All other locations and materials used shall be approved by the approving Board. Barbed wire and chain link fences are not permitted.

P. Trash areas. Each use shall either (a) provide trash containers on site or (b) financially contribute to and use shared trash facilities within the CBD Zone. If trash containers are provided on site:

a. The containers shall provide sufficient capacity to contain all refuse generated by the use.

b. All trash containers shall be enclosed or screened from public view and shall not be adjacent to any public street and shall be located so as to allow for convenient pickup and disposal.

c. All trash containers shall be provided with lids.

Q. Outside storage prohibited.

R. Mechanical equipment. Mechanical and utility equipment at ground level shall be placed in the side or rear yard and shall be screened from view by opaque screening from grade level along any public street or adjacent property. Buildings that front on more than one public street may have mechanical and utility equipment located within a street facing yard, provided it is visually screened using compatible building materials and design as the principle structure. This is applicable only where no other reasonable option exists as determined by the Reviewing Board. Roof-mounted mechanical equipment and/or duct work which projects above the roof or roof parapet of a building and is visible from adjacent properties or a public street shall not be permitted. Exceptions: The Board may permit an enclosure that screens mechanical equipment if the material is durable and consistent with the architecture of the building. Satellite dishes shall not be visible from the public right-of-way.

S. Bulk Regulations.

9. Front Yard Setback: 0’ minimum; 10’ maximum. Recesses and alcoves on the level of the adjacent street to accommodate entry ways, display windows, planters, or similar features shall not be considered as setbacks, provided the street wall of upper stories complies with the maximum required front setback.

10. Rear Yard Setback: None required unless adjacent to residential use; 10’ buffered area required to a residential use.

11. Side Yard Setback: None required to a non-residential use; 10’ required to a residential use; if proposed, 12’ required to allow for one way access to the rear of properties for parking.

12. Minimum Building Coverage: 50%.

13. Minimum Lot Coverage: 75%.

14. Maximum Lot Coverage: 100% if green building materials are used and a passive green roof is provided for occupants of the building. Maximum lot coverage shall be limited to 85% if no green building materials are used and no green roof is provided.

15. Maximum Height: 3 stories/35'. A 4 stories/45' shall be permitted if the 4th story is setback from the building face on all sides at a distance of at least 6'.

16. Maximum Floor Area Ratio (F.A.R.): 2.4; bonus of .25 (2.65 total) if affordable housing is provided on site

17. Maximum Residential Density: 35 du/ac; bonus of 5 du/ac (40 du/ac total) if affordable housing is provided on site.

T. Signage.

7. §22-42 Signs shall be applicable to the CBD District, unless otherwise noted in this section.

8. Number of Signs. Each commercial use shall be entitled to one wall-mounted, canopy, or awning sign, except that where a building has street frontage on more than one street, one additional sign may be permitted. Any permitted use within a building having an exterior wall facing an off-street parking area may have a second principal sign on said wall if that wall contains a pedestrian entrance to said permitted use. In the event that a building has frontage on 2 streets and a rear entrance, 3 signs shall be permitted, however, the size of the 3rd sign is limited to 50% of the size of the largest sign.

9. Size of Wall Signs. Wall signs for each tenant shall be limited to 2' in height and 90% of the width of the storefront, lettering shall be limited to 18" in height.

10. Sign Advertisement. Wall signs shall advertise only the permitted use, products or service on the premises on which they are displayed.

11. Design Theme. A unified design theme shall be provided which integrates the architectural design, materials and colors of the primary structure, facade signs, freestanding signs, landscaping and lighting fixtures.

12. Canopies/ Awnings. Canopies, perpendicular signage and awnings shall be permitted to overhang the pedestrian right-of-way, with a minimum vertical clearance of 8.5 feet, a maximum overall height of five feet. Lettering on a canopy or awning shall be limited to the valance area and shall not exceed 80% of the linear width of the valance. The valance shall be no more than one foot in height, and lettering on the valance shall be limited to six inches in height.

13. Window signs. Window display signs, as well as affixed window signs are permitted, provided that the aggregate area employed for such purpose shall not exceed 25% of the total window area on which it is located. Signs are limited to limited to show manufacturers' or required licenses, to indicate membership in a retail or professional organization or credit card or credit association, or advertisements referable to sales within, shall be permitted to be attached to windows on the interior of the business use.

14. Multi-tenant Developments. In the case of multi-tenant developments, a sign plan shall be submitted for approval and shall include the following: letter style and size, illumination details, color, construction materials, locations and height above grade; location relative to lot lines, landscaping and on-site lighting fixtures; an indication of the location of site identification signs.

15. Monument signs are not permitted.

U. Parking.

B. Location. All parking, if provided on site, shall be provided to the rear of any building. Parking is not permitted in the front or side yard.

C. Parking buffer. A 10' landscaped buffer is required for parking abutting a residential use.

D. Cross easements. All properties are required to have access to an adjacent parking lot(s). Cross-access easements shall be part of any approval. If no adjacent parking areas are available for access to the street, a side yard setback will be allowed the width of an access drive for vehicles to obtain access to a rear parking area.

E. Off-site Parking. If parking spaces are available off site as described by the table below, the applicant will make a payment-in-lieu of $2,500 per space to a public parking fund.

TABLE 1
PARKING PROXIMITY

Less than 100'	Less than 800'	Less than 1200'
Accessible parking	Grocery stores	General retail
Deliveries and loading	Professional services	Restaurant
Emergency Services	Medical clinics/services	Employees
Convenience Store	Residents	Entertainment

F. Payment-in-Lieu of Parking (PILOP). A payment of $3,000 per parking space is required for each waived parking space, in lieu of providing the number of parking spaces required by the ordinance. The monies will deposited into a municipal parking fund.

G. (Reduction in) Cumulative Parking Requirements. Cumulative parking requirements for mixed-use occupancies or shared facilities may be reduced where it can be determined that the peak requirements of the several occupancies occur at different times (either daily or seasonally). The submittal requirements for a parking reduction request vary according to the method used to determine the parking reduction. The reduction methods and accompanying submittal requirements are outlined in this section. In all cases, a shared parking operations plan must be prepared to the satisfaction of the Department of Planning, Engineering, and Zoning Officer showing that parking spaces most conveniently serve the land uses intended,

H. directional signage is provided if appropriate, and pedestrian links are direct and clear. On-street parking spaces wholly adjacent to the property may be included in the required minimum. Three methods for determining a parking reduction are as follows:

c. Intermittent or Seasonal Non-conflicting Uses

i. When required parking reductions are predicted as a result of sharing between intermittent or seasonal uses with non-conflicting parking demands (e.g. a church

ii. and a bank), then the reduction can be considered for approval by the appropriate board without demand calculations or a parking study. Individual spaces identified on a site plan for shared users shall not be shared by more than one user at the same time.

iii. If a privately owned parking facility is to serve two or more separate properties, then a "Shared Parking Agreement" shall be filed with the Borough for consideration by the Board. Unless explicitly stated to the contrary, the property owner of the parking facility accepts responsibility for operating, maintaining and accepting liability for personal injury and property damage.

d. Parking Occupancy Rate Table

i. When the parking reduction has been shown to be feasible by using the demand calculations as determined by Table 2 below, Parking Occupancy Rates, the applicant shall submit a parking demand summary sheet showing the process for calculating the reduction as outlined in this section.

ii. The minimum number of parking spaces that are to be provided and maintained for each use shall be determined based on standard methods for determining minimum parking supply at a particular site.

iii. The gross minimum number of parking spaces shall be multiplied by the "occupancy rate" as determined by a study of local conditions (or as found in Table 2), for each use for the weekday night, daytime and evening periods, and weekend night, daytime and evening periods respectively.

iv. The gross minimum numbers of parking spaces for each of the purposes referred to for each time period shall be added to produce the aggregate gross minimum numbers of parking spaces for each time period.

v. The greatest of the aggregative gross minimum numbers of parking spaces for each period shall be determined.

TABLE 2
PARKING OCCUPANCY RATES

Uses	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Residential	60%	100%	100%	80%	100%	100%
Office/ Warehouse /Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference/Convention	100%	100%	5%	100%	100%	5%
Institutional (non-church)	100%	20%	5%	10%	10%	5%
Institutional (church)	10%	5%	5%	100%	50%	5%

Upon a motion made by Council President Holloway, seconded by Councilwoman Pascrell, the aforegoing 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:

- Pending Litigation – Angel Jet Services LLC v. Borough of Woodland Park

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 Council President Holloway and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 8:46 p.m.

Upon the conclusion of the executive session, a motion was made by Councilman Spinelli, seconded by Council President Holloway to continue the regular meeting at 9:03 p.m. At that time, a roll call was taken and all council members were present.

Adjournment

There being no further business to come before the Council, upon motion by Council President Holloway, seconded by Councilwoman Kallert and unanimously passed on roll call vote, the meeting was adjourned at 9:05PM.

Respectfully submitted,

_____
Kevin V. Galland
Municipal Clerk

_____
Keith Kazmark
Mayor