

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON NOVEMBER 27, 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 November 27, 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, Courtney Fitzpatrick, Deputy Municipal Clerk 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:

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

Michael Miller, 5 Cliff Road, Apt. D1, Four Seasons at Great Notch, congratulated Council President Holloway, Councilman Spinelli and Councilwoman Pascrell on their winning of the Re-election to the Council. He spoke about the Real Estate Tax Assessment being higher than the purchase cost of our homes. He spoke about the Appeals process. He wished everyone a Happy and safe Holiday.

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

Mayor Kazmark thanked Mr. Miller for his wishes and stated that they will talk more about the history and the evolution of this issue with regard to the re-evaluation that occurred prior to Mr. Miller moving into Woodland Park. Mayor Kazmark stated that himself nor the Council do not play in any role in setting the assessments on the properties within the Borough. He stated that this is a function that is in the hands of the Tax Assessor and the Re-evaluation Firm. Mayor Kazmark stated to Mr. Miller that the only way he can seek relief today is to file a tax appeal in April 2014. Mayor Kazmark stated that if Mr. Miller and any other resident of Woodland Park believes that their assessment is too high to file a tax appeal and from there the Borough will make a decision in summer of 2014 based on the exposure as to whether or not the Borough will move forward with a formal re-assessment.

PRESENTATIONS:

Guns For Hire made a donation in the amount of \$15,448.06 to Woodland Park Police Department for the replacement of fire arms.

MINUTES:

Upon Motion by Councilman , seconded by Councilman , and passed on roll call vote, the Minutes of the Regular Meeting of November 6, 2013, were approved as submitted.

MAYOR'S REPORT:

CONFERENCE COMMITTEE REPORTS:

Administration & Finance – Councilwoman Gatti

Public Works – Councilman Spinelli

Public Safety – Councilman DeCesare

Health & Senior Services – Councilwoman Kallert

Recreation & Community Relations – Councilwoman Pascrell

Laws & Ordinances – Council President Holloway

MUNICIPAL ATTORNEY'S REPORT:

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 R13-304, a resolution supporting a Grant Application to the New Jersey Department of Environmental Protection for funds to De-Snag/De-Silk the Passaic River Basin.

B. Resolution R13-305, amending Resolution R13-28, a resolution retaining the services of Frank M. Donato, J.S.C. (retired) as an independent hearing officer in an amount not to exceed \$3,500.00 with regard to an employee disciplinary matter.

C. Resolution R13-306, amending Resolution R13-271, a resolution retaining the services of Frank M. Donato, J.S.C. (retired) as an independent hearing officer in an amount not to exceed 3,500.00 with regard to an employee disciplinary matter.

D. Resolution R13-307, a resolution authorizing DePaul Catholic High School, 512 Alps Road, Wayne, New Jersey, to conduct two (2) On Premise Raffles and one (1) Off Premise Raffle to be held on March 6, 2014, at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 5:00 p.m-11:00 p.m..

E. Resolution R13-308, a resolution to retain the mediation services of Joseph C. Smalls, P.J.T.C. (retired) to mediate the matter of CAPP/FSGN et. als. V. Borough of Woodland Park et. als, in an amount not to exceed \$1,500.00.

F. Resolution R13-309, a resolution authorizing the Tax Collector of the Borough of Woodland Park to return the total of \$11,941.45 for the redemption payment of a lien and premium to Elliot Loeb Keough Plan, 1 Lakeview Drive, Saratoga Springs, NY 12866 and to adjust the books and records accordingly.

G. Resolution R13-311, a resolution based on the recommendation of Chief Paul Salomone, approving the application of Thomas Umstead, 35

West 36th Street, Woodland Park, to become a West Paterson Volunteer Firefighter.

H. Resolution R13-312, a resolution authorizing the Tax Collector of the Borough of Woodland Park to return the total of \$30,033.39 for the redemption payment of a lien and premium to US Bank Cust-Pro Cap III, LLC, 50 S 16th Street Suite 1950 c/o US Bank TLSG, Philadelphia PA 19102 and to adjust the books and records accordingly.

I. Resolution R13-313, a resolution authorizing Tomorrows Children's Fund, 30 Prospect Avenue, Hackensack, New Jersey 07601, to conduct an On Premise Raffle to be held on February 27, 2014, at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 6:30 p.m-10:30 p.m..

J. Resolution R13-314, a resolution authorizing Tomorrows Children's Fund, 30 Prospect Avenue, Hackensack, New Jersey 07601, to conduct an On Premise 50/50 Raffle to be held on February 27, 2014, at the West Mount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between 6:30 p.m-10:30 p.m.

K. Resolution R13-315, a resolution approving the purchase of one (1) 2014 Ford F450 4x4 Cab and Chassis, for the Department of Public Works, from All American Ford, P.O. Box 5249, Old Bridge, NJ 08857 for a total cost not to exceed of \$43,644.00 under the Morris County Cooperative Pricing Council.

L. Resolution R13-316, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2013 Budget, in the sum of \$13,567.79 for the Solid Waste Administration, 2011 Recycling Tonnage Grant.

M. Resolution R13-317, a resolution to approve the actions noted in the Consent Agenda, items A. through L., 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 L. be and are hereby approved and the proper officers are directed to take the necessary actions on same.

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

COLLECTOR/TREASURER REPORT:

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilwoman Pascrell, seconded by Councilman DeCesare and unanimously passed on roll call vote, the Council confirmed the payment of the 11/29/13 and miscellaneous payroll estimated at \$217,700.00.

Upon Motion made by Councilwoman Gatti, seconded by Council President Holloway and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 11/22/13 totaling \$394,804.56.

DEPARTMENT REPORTS:

1. Police Report for October 2013.
2. Fire Prevention Report for October 2013.
3. Summary Budget Status Report for November 22, 2013.
4. Planning Board Minutes from October 21, 2013.

OLD BUSINESS:

A. Resolution R13-302, adoption of Borough Ordinance No. 13-13

Upon a motion made by Councilman DeCesare, seconded by Councilwoman Pascrell and passed on roll call vote, a public hearing was opened on Resolution R13-302, Ordinance No. 13-13.

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

ORDINANCE NO. 13-13

AN ORDINANCE TO AMEND CHAPTER XVIII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS KNOWN AS THE “PROPERTY MAINTENANCE CODE” TO PROHIBIT THE STORAGE OF GARBAGE, REFUSE AND DEBRIS WITHIN TWENTY-FIVE (25) FEET FROM THE CURBLINE FOR ALL STRUCTURES AND PREMISES.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **AN ORDINANCE TO AMEND CHAPTER XVIII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS KNOWN AS THE “PROPERTY MAINTENANCE CODE” TO PROHIBIT THE STORAGE OF GARBAGE, REFUSE AND DEBRIS WITHIN TWENTY-FIVE (25) FEET FROM THE CURBLINE FOR ALL STRUCTURES AND PREMISES**; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated November 12, 2013, setting the date of November 27, 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 November 6, 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 XVIII OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS KNOWN AS THE “PROPERTY MAINTENANCE CODE” TO PROHIBIT THE STORAGE OF GARBAGE, REFUSE AND DEBRIS WITHIN TWENTY-FIVE (25) FEET FROM THE CURBLINE FOR ALL STRUCTURES AND PREMISES** 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 motion made by Council President Holloway, seconded by Councilman DeCesare and unanimously passed on roll call vote, resolution R13-302, Ordinance No. 13-13 was adopted.

B. Resolution R13-303, adoption of Borough Ordinance No. 13-14

Upon a motion made by Councilman Spinelli, seconded by Councilwoman Kallert and passed on roll call vote, a public hearing was opened on Resolution R13-303, Ordinance No. 13-14.

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

ORDINANCE NO. 13-14

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 MCBRIDE AVENUE, ON THE CURBLINE TO THE NORTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING FORTY FOUR (44) FEET, AND ON THE CURBLINE TO THE SOUTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING SIXTY (60) FEET.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an 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 MCBRIDE AVENUE, ON THE CURBLINE TO THE NORTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING FORTY FOUR (44) FEET, AND ON THE CURBLINE TO THE SOUTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING SIXTY (60) FEET**; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated November 12, 2013, setting the date of November 27, 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 November 6, 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 MCBRIDE AVENUE, ON THE CURBLINE TO THE NORTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING FORTY FOUR (44) FEET, AND ON THE CURBLINE TO THE SOUTH FROM THE CORNER OF BERGEN BOULEVARD EXTENDING SIXTY (60) FEET** 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 motion made by Councilwoman Kallert, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, resolution R13-303, Ordinance No. 13-14 was adopted.

NEW BUSINESS:

A. Resolution R13-295, Introduction of Ordinance 13-12

INTRODUCTION OF BOROUGH ORDINANCE NO. 13-12

AN ORDINANCE WHICH SUPERSEDES ORDINANCE NO. 12-17 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 2013 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 18th day of December, 2013, 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.

B. Resolution R13-310, Introduction of Ordinance 13-15

INTRODUCTION OF BOROUGH ORDINANCE NO. 13-15

BE IT RESOLVED; that the ordinance entitled: **AN ORDINANCE WHICH SUPERSEDES ORDINANCES NO. 07-12 AND 08-05 TO REGULATE THE PARKING OF COMMERCIAL VEHICLES AND REQUIRING THE REGISTRATION OF COMMERCIAL VEHICLES WITH 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 18th day of December, 2013, 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.

There being no further business to come before the Council, upon a Motion by Council President Holloway, seconded by Councilwoman Kallert, and unanimously passed on roll call vote, the meeting was adjourned at 6:50 PM.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Keith Kazmark
Mayor