

**BOROUGH OF WOODLAND PARK  
SPECIAL MEETING OF THE MUNICIPAL COUNCIL  
HELD ON DECEMBER 29, 2014**

A Special Meeting of the Municipal Council of the Borough of Woodland Park was held in the Mayor's Conference Room in the Municipal Building, 5 Brophy Lane, on December 29, 2014 and was called to order by Mayor Keith Kazmark at 6:30 p.m.

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

Absent: None

Kevin Galland, Administrator, and Albert Buglione, Esq., were present.

Mayor Kazmark stated that in accordance with the Open Public Meetings Law P.L. 1975 c.231, notice requirements for this meeting were set forth 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 of Woodland Park where it was advertised on December 20, 2014.

**PUBLIC HEARINGS:**

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

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

**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 R14-320, a resolution cancelling \$25,000.00 of the Emergency Appropriation for the replacement of the fuel tanks at the DPW yard and funding the balance of \$275,000.00 through the bond ordinance (No. 14-15), thus eliminating the need to appropriate or fund the emergency in the 2015 operating budget.**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, adopted an Emergency Resolution (R14-252) to replace the deteriorated gasoline and diesel fuel tanks in the Department of Public Works yard in the amount of \$300,000.00; and

**WHEREAS**, the Borough has awarded a contract (R14-282) to replace the fuel tanks in an amount not to exceed \$275,000.00; and

**WHEREAS**, the balance of \$25,000.00 is not needed for this project at this time; and

**WHEREAS**, the Borough has adopted a bond ordinance (No. 14-15) to fund the cost of this project;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council, of the Borough of Woodland Park, County of Passaic, hereby cancel the \$25,000.00 of the Emergency Appropriation and fund the balance of \$275,000.00 through the bond ordinance (No. 14-15), thus eliminating the need to appropriate or fund the emergency in the 2015 operating budget.

- B. Resolution R14-321, a resolution cancelling the \$100,000.00 Emergency Appropriation for the demolition of certain unsafe and dilapidated properties in the Borough eliminating the need to appropriate or fund the emergency in the 2015 operating budget.**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, adopted an Emergency Resolution (R14-240) to fund the demolition of several unsafe and dilapidated properties within the Borough in the amount of \$100,000.00; and

**WHEREAS**, the Borough has received a Community Development Block Grant to demolish one home and a Community Development Block Grant – Disaster Recovery grant to demolish the balance of the identified properties; and

**WHEREAS**, the referenced Emergency Appropriation is no longer needed for this purpose;

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council, of the Borough of Woodland Park, County of Passaic, hereby cancels the \$100,000.00 Emergency Appropriation.

**C. Resolution R14-322, authorizing payment for compensatory time to individuals listed in the resolution.**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to pay certain employees for their compensatory time in order to reduce accumulated payouts in the future;

**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 following the payments for compensatory time to these listed individuals: Ms. Frances Trawinski - \$9,665.24; Mr. Thomas Minnella - \$2,115.40; and Ms. Gerrienne Izzo - \$379.03.

**D. Resolution R14-323, a resolution authorizing the Borough Administrator to enter into negotiations in order to secure a contract for the lease of real property (Block 58, Lot 14.01) owned by the Borough of Woodland Park located at the north-east corner of the intersection of McBride Avenue and Brophy Lane for the placement of a billboard, in compliance with NJSA 40A: 11-5 (3).**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to lease real property (Block 58, Lot 14.01) owned by the Borough of Woodland Park located at the north-east corner of the intersection of McBride Avenue and Brophy Lane for the placement of a billboard; and

**WHEREAS**, in compliance with N.J.S.A. 40A:12-14, the Borough released a bid (13-09) on January 8, 2014 to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

**WHEREAS**, on January 23, 2014, the Borough did receive three (3) responses to this bid solicitation with further determination that the proposed rents offered by all three (3) bidders, did not benefit the taxpayers or public good and said bids were rejected (R14-70) by the governing body; and

**WHEREAS**, on July 28, 2014, the Borough released another bid (14-04), with revised specifications, to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

**WHEREAS**, on August 21, 2014, the Borough did receive one (1) response to this bid solicitation with further determination that the bidder failed to meet the annual minimum bid amounts as specified in the bid document and for that reason the bid submitted cannot be deemed a responsive/responsible bid and was rejected (R14-239) by the governing body; and

**WHEREAS**, on November 25, 2014, the Borough released a third bid (14-04-01), with the same specifications as contained in bid 14-01, to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

**WHEREAS**, on December 19, 2014, the scheduled bid opening date, no bids were received in response to bid solicitation 14-04-01; and

**WHEREAS**, the NJ State Local Public Contracts Law (NJSA 40A: 11-5 (3)) provides the opportunity to negotiate a contract for the bid service subject to the following:

*“(3) Bids have been advertised pursuant to section 4 of P.L.1971, c198 (C40A:11-4) on two occasions and (a) no bids have been received on both occasions in response to the advertisement, or (b) the governing body has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the contracting agent prior to advertising therefor, or have not been independently arrived at in open competition, or (c) on one occasion no bids were received pursuant to (a) and on one occasion all bids were rejected pursuant to (b), in whatever sequence; any such contract may then be negotiated and may be awarded upon adoption by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract;”*

**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 Borough Administrator to enter into negotiations in order to secure a contract for the lease of real property (Block 58, Lot 14.01) owned by the Borough of Woodland Park located at the north-east corner of the intersection of McBride Avenue and Brophy Lane for the placement of a billboard, in compliance with NJSA 40A: 11-5 (3).

**E. Resolution R14-324, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to cancel the unexpended appropriation of the Current Fund – Group Insurance in the amount of \$120,000.00.**

**WHEREAS**, the 2014 Current Fund Appropriation Budget contains a line item entitled Group Insurance with a total appropriation of \$121,644.61; and

**WHEREAS**, the unexpended appropriation balance of \$120,000.00 is no longer necessary and is in excess of the requirements for the 2014 Current Fund Budget; and

**WHEREAS**, the appropriation was listed in the 2014 Budget as follows:

General Appropriations  
Operations – In Cap  
Unclassified:  
Group Insurance

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizing the Chief Financial Officer to cancel the above appropriation balance.

**F. Resolution R14-325, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to cancel the unexpended appropriation of the Current Fund – Defined Contribution Retirement Plan in the amount of \$7,500.00.**

**WHEREAS**, the 2014 Current Fund Appropriation Budget contains a line item entitled DCRP with a total appropriation of \$7,804.09; and

**WHEREAS**, the unexpended appropriation balance of \$7,500.00 is no longer necessary and is in excess of the requirements for the 2014 Current Fund Budget; and

**WHEREAS**, the appropriation was listed in the 2014 Budget as follows:

General Appropriations  
Operations – In Cap  
Unclassified:  
DCRP

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby authorizing the Chief Financial Officer to cancel the above appropriation.

**G. Resolution R14-326, a resolution authorizing the Chief Financial Officer of the**

**Borough of Woodland Park to make budget transfers as outlined in said resolution.**

**WHEREAS**, the Borough Council of the Borough of Woodland Park did adopt a budget for the year 2014 in accordance with Municipal Budget Law N.J.S.A. 40A:4 et seq.; and

**WHEREAS**, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

**WHEREAS**, N.J.S.A. 40A:4-58 allows for the transfer of funds among line items of and adopted municipal budget during the last two months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that the Chief Financial Officer of the Borough of Woodland Park is hereby authorized to make the transfers as listed on the following schedule among various line items:

December 29, 2014	2014 BUDGET TRANSFERS	OUT	IN
4-01-23-220-220-020	Group Insurance-O/E	\$40,000.00	
4-01-44-901-901-020	Capital Improvement Fund		\$40,000.00
		\$40,000.00	\$40,000.00

**H. Resolution R14-327, a resolution to approve the actions noted in the Consent Agenda, items A. through G., be and are hereby approved and the proper officers are directed to take necessary action on same.**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodland Park that the actions noted in the Consent Agenda, items A. and G. be and are hereby approved and the proper officers are directed to take necessary action on same.

After a lengthy discussion regarding Resolution R14-322, the Mayor requested that the Administration & Finance Committee establish and recommend a policy, during the first quarter of 2015, on how best the payment for unused compensatory and vacation time should be addressed on an annual basis to avoid the potential of large pay-outs at the time of employee retirement.

Upon Motion made by Council President Spinelli, and seconded by Councilwoman Kallert, the afore-going resolution was unanimously adopted on roll call vote.

**COLLECTOR/TREASURER REPORT:**

Upon Motion made by Councilwoman Pascrell, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 12/23/2014 totaling \$ 231,551.54.

**NEW BUSINESS:**

The Mayor advised the Council that four candidates for the position of Municipal Court Administrator have been interviewed and that the committee, which consisted of representation from the County Courts, Woodland Park Municipal Court and the Administration, are recommending the hiring of Mary Beth Swanson, the current Municipal Court Administrator in Byram, at a starting salary of \$49,000.00, plus benefits, effective January 1, 2015 to replace our retiring Municipal Court Administrator.

The Mayor announced that he desires to hold a Special Meeting of the Mayor and Council on Monday, January 19, 2015 at 6:30 to discuss the proposed improvements to Rose Place Park and Zaccaria Park. This meeting needs to be advertised and Mr. Nordan Murphy and Mr. Steve Wielkocz need to be invited.

Mr. Buglione addressed the Mayor and Council regarding the solid waste and recycling efforts at Westmount Village. Mr. Buglione stated that the Borough's 2015 solid waste and recycling contracts are in place and that the contractors are prepared to provide service. The attorneys for the complex continue to negotiate and the latest proposal is

that they want the Borough to pay them directly the same amount that the Borough would pay the contractors for the service. They would in turn contract for the service and pay whatever may be the difference in cost. After a lengthy discussion, it was agreed that the offer was unacceptable and since we were prepared to provide the service at the same level as the Borough provides to all of the residents, that is the governing body's position on the matter.

**ADJOURNMENT:**

There being no further business to come before the Council, upon Motion by Councilwoman Pascrell, seconded by Councilman Holloway and unanimously passed on roll call vote, the meeting was adjourned at 7:26 p.m.

Respectfully submitted,

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Kevin V. Galland  
Municipal Clerk

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Keith Kazmark  
Mayor