

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON DECEMBER 18, 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 December 18, 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.

PRESENTATIONS:

Mayor Kazmark presented a proclamation to Cytec Industries commemorating their 20th Anniversary.

In recognition of:

“Cytec Industries Inc.’s 20th Anniversary”

Whereas, it is the sense of the Mayor and Council of the Borough of Woodland Park to recognize those corporate members of our community whose purpose and endeavor remain dedicated to the pursuit of excellence and who have achieved long term success; and

Whereas, the Twentieth Anniversary of Cytec Industries Inc. takes place in the year two-thousand thirteen, having spun off from American Cyanamid Company in 1993; and

Whereas, throughout its impressive history, Cytec Industries has sought to develop innovative and advanced technologies for its customers, enabling them to offer pioneering products and solutions to the industries they serve in areas, such as aerospace and industrial materials, mining and plastics; and

Whereas, Cytec, a global organization with more than 3,600 employees at 37 sites in 15 countries, has corporate headquarters, at 5 Garret Mountain Plaza in Woodland Park where a staff of 168 provide Executive; Administration; Finance; Communications; Human Resources; Information Technology; Procurement; and Safety, Health and Environment functions; and

Whereas, Cytec’s contributions benefit the community in many ways, as its employees participate in activities, from the “Making Strides Against Breast Cancer Walk” to the “Verizon Corporate Challenge”; while the headquarters office additionally donates food to local soup kitchens, school supplies for needy children, and money for breast cancer awareness;

*Now, therefore, I, Mayor Keith Kazmark, proclaim that we pause to acknowledge Cytec Industries Inc. for what it has attained, and that **December 17, 2013** be declared **Cytec Industries Day** in the Borough of Woodland Park, County of Passaic, State of New Jersey; and, be it further resolved that this proclamation be made available for review and display at Cytec sites around the world for all to see.*

PUBLIC HEARINGS:

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, spoke about the tax assessment policy of Woodland Park. 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 the Mayor and Council and Happy and Healthy New Year.

Sanjay Desai, 186 Mt. Pleasant Avenue, questioned about item L on the consent agenda, Resolution R13-337. He questioned about item D on the consent agenda, Resolution R13-327. He questioned about item H on the consent agenda, Resolution R13-331. He spoke about the snow removal trucks and how they throw snow back onto his sidewalks after he had already cleaned the sidewalks. He spoke about the Police Vehicles and the tinted windows on the Police Vehicles. He also spoke about Police Officers who are texting on their cell phones and talking on their cell phones while driving. He spoke about a guardrail that was taken out on Brophy Lane and requested that a new guardrail be installed for safety. He spoke about the property taxes. He wished the Mayor and the Council a Happy Holiday.

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

Mayor Kazmark told Mr. Miller that he had explained previously to him about the rationale of the re-evaluation firms and the setting of the land values at the Four Seasons at Great Notch. The numbers are correct in the eyes of the Assessor. He spoke about the County Tax Board process and stated that it is a painful process and a lot of patience is needed to get through it. He stated that the Municipality and the Governing Body have no control over what happens at the County Tax Board as they are hearing the appeals. He stated that if Mr. Miller or any other residents have any concerns about the process that they may want to write to the County Tax Board. He spoke about the Assessor's manual.

Mayor Kazmark told Mr. Desai that item L on the consent agenda, Resolution R13-337 authorizes the Administrator to move forward with putting out a request for a proposal on a potential billboard along Rt. 80 adjacent to the Municipal Building. He spoke about item D on the consent agenda, Resolution R13-327 stating that the proposal is being rejected for the potential re-assessment of property due to that the State would not approve the application to begin that process to go into effect for the 2014 tax year. He spoke about item H on the consent agenda, Resolution R13-331 stating that the address is 15 Borrego Drive. He spoke about item G on the consent agenda, Resolution R13-330 stating that the address is 18 Garner Drive. He spoke about the snow storms and what the town had encountered. He spoke about Police Officers on their cell phones. He stated that the Police Chief has addressed the issue. He stated that if Mr. Desai had a specific complaint about a Police Officer that he would like to make that he can come in person and file that complaint with the Internal Affairs Officer. He spoke about the tinted windows on the Police Vehicles and stated to Mr. Desai that this is a package that comes with the Police Vehicles and is approved by the State. He spoke about the re-assessment.

APPROVAL OF MINUTES:

Upon motion made by Councilman Spinelli, seconded by Councilwoman Gatti, and unanimously passed on roll call vote, the Regular Meeting minutes of November 27, 2013 were approved.

CONFERENCE COMMITTEE REPORTS:

Administration & Finance – Councilwoman Gatti stated that due to the snow storm on Tuesday December 17, 2013 that the meeting was cancelled. There were no other reports at this time.

Public Works – Councilman Spinelli stated that there was nothing to report at this time.

Public Safety – Councilman DeCesare stated that there was nothing to report at his time. There is a meeting on Monday December 23, 2013. He thanked everyone on the Municipal Alliance that helped out with the Christmas tree lighting.

Health & Senior Services – Councilwoman Kallert stated that the Senior luncheon was cancelled Tuesday December 17, 2013 due to the weather and is rescheduled for Friday December 27, 2013.

Recreation & Community Relations – Councilwoman Pascrell stated that there was nothing to report at this time.

Laws & Ordinances – Council President Holloway spoke about Ordinance #13-15, commercial vehicle parking. He stated that there is a few Ordinances that will be worked on in January 2014.

MAYOR'S REPORT:

Mayor Kazmark spoke about the snow issues. He spoke about a Police Vehicle that was parked in a handicapped parking spot. He stated that the investigation is under review. He spoke about being in Trenton NJ today with the Borough Attorney, Borough Administrator and Borough Tax Assessor in reference to CAPP which is the group that is representing the residents at the Four Seasons at Great Notch. He congratulated Assistant Fire Chief Joe Macones from fire Company #1 on his re-election as Assistant Fire Chief for another 3 years. He congratulated the Municipal Clerk, Kevin Galland, who was elected at the League of Municipalities to join the Executive Board of the Municipal Clerks Association of New Jersey. He stated that the Centennial Committee is starting up their second super 50/50. Tickets are being sold in both the Municipal Clerks Office and the Code Enforcement Office. Tickets are being sold at \$50.00 each and only 400 tickets will be sold. He spoke about the Tax Appeal seminar that is being held for the residents on Saturday February 1, 2014 at 9:00 a.m. in the Council Chambers. Any resident who is considering to file an appeal are encouraged to attend. The swearing in of our newly elected Council Members will be held on Wednesday January 1, 2014 at 2:00 p.m. The re-organization meeting of the Council will be held on Wednesday January 8, 2014 at 7:00 p.m. He wished everyone a Happy and Healthy Holiday and a wonderful 2014.

Borough Administrator, Kevin Galland, spoke about the Borough CFO who rolled over two bond anticipation notes a few weeks ago. Bond Anticipation notes are short term debt. The BANS are taken out for an annual basis and over a period of time they are accumulated and rolled over to a note. The first roll over was an existing bond anticipation note in the amount of \$90,000.00 that was able to be reduced in principal of that BAN down to \$45,000.00. The BAN was taken out for a 6 month period at a rate of .85%. The second note was an existing BAN of \$900,000.00. The principal was able to be paid off in the amount of \$175,000.00 therefore the roll over is for \$725,000.00 which was purchased at .85%.

MUNICIPAL ATTORNEY'S REPORT:

The Borough Attorney spoke about the projects that are continuing to be summarized. He spoke about being in court on this date in Trenton NJ. He stated that some major litigation has been concluded from this year including the Passaic Valley River Litigation. He stated that a number of other matters including a number of Ordinances are being drafted. He wished everyone a Happy Holiday.

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 R13-324, a resolution declaring the Borough of Woodland Park agreement with the New Jersey Intergovernmental Insurance Fund “NJIIIF” to continue its membership in the “Fund” for a period commencing January 1, 2014 terminating on December 31, 2016 for the purpose of establishing the types of insurance coverage listed on the attached resolution.

NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND

WHEREAS, the Borough of Woodland Park has been a participating member of the New Jersey Intergovernmental Insurance Fund (hereinafter the “Fund”) established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq), and

WHEREAS, the Municipal Council of the Borough of Woodland Park has determined that MEMBERSHIP IN THE “Fund” is the best interest of the municipality,

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

SECTION 1. The Borough of Woodland Park hereby agrees to continue its membership in the “Fund” for a period commencing January 1, 2014 terminating on December 31, 2016 for the purpose of establishing the following types of insurance coverage:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability/Employment Practices Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment and Boiler & Machinery)
- e) Environmental Impairment Liability

SECTION 2. For the purpose of contribution of sums into the “Fund” to be designated for administrative costs and claims, Borough of Woodland Park hereby agrees to obtain the types of coverage from the “Fund” as are set forth in SECTION 1 of the Resolution and Indemnity and Trust Agreement to be signed by it.

SECTION 3. The Bylaws of the New Jersey Intergovernmental Insurance Fund have been adopted and accepted by the Local Unit and the Local Unit hereby agrees to conduct its membership in the “Fund” according to the rights and obligations set forth therein.

SECTION 4. The Mayor and Council are hereby authorized and directed to execute a written agreement signifying application for membership in the “Fund” and are to execute such other agreements, including but not limited to the Indemnity and Trust Agreement, attached hereto as Exhibit A, in order to implement its membership in the “Fund” and to conduct itself according to the terms thereof.

SECTION 5. The Local Unit certifies that it has never defaulted on claims under a self insurance plan and that it has not had its insurance canceled for non-payment of premium for a period of at least two (2) years prior to this application.

SECTION 6. Inconsistent Resolutions. All Resolutions, or parts thereof, inconsistent with provisions of this Resolution are hereby repealed as to such inconsistency.

SECTION 7. Severability. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

SECTION 8. Effective Date. This Resolution shall take effect upon its passage.

B. Resolution R13-325, a resolution based on the recommendation of Chief Paul Salomone, approving the application of Michael Canal, 35 Mary Ave, Apt A, Woodland Park, to become a West Paterson Volunteer Firefighter.

ACCEPTANCE OF FIREFIGHTER APPLICATION

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Michael Canal, 35 Mary Ave, Apt A, Woodland Park, New Jersey 07424 and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Michael Canal, 35 Mary Ave, Apt A, Woodland Park, New Jersey 07424 to become a West Paterson Volunteer Firefighter.

C. Resolution R13-326, a resolution retaining the services of Agnoli Engineering, 108 Ridge Road, Little Falls NJ 07424 to prepare a Community Rating System Application on behalf of the Borough for an amount not to exceed \$9,500.000.

**CONTRACT AWARD
AGNOLI ENGINEERING LLC
COMMUNITY RATING SYSTEM (CRS) APPLICATION**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to submit a Community Rating System (CRS) Application in order to provide the Borough’s residents living in designated flood zones the opportunity to reduce the cost of their flood insurance; and

WHEREAS, the filing of this application requires specific engineering knowledge and expertise in order to achieve a successful rating; and

WHEREAS, Agnoli Engineering, 108 Ridge Road, Little Falls, NJ 07424 has displayed said knowledge and expertise and has been successful in securing ratings for municipalities in the surrounding area; and

WHEREAS, Agnoli Engineering has submitted a proposal to the Borough to provide these services in an amount not to exceed of \$9,500.00;

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 Agnoli Engineering, 108 Ridge Road, Little Falls, NJ 07424 to prepare a Community Rating System Application on behalf of the Borough for an amount not to exceed \$9,500.00; and

BE IT FURTHER RESOLVED, that the Borough Administrator is hereby authorized to execute all documents related to this matter on behalf of the Borough.

D. Resolution R13-327, a resolution rejecting the Request For Proposal response from Appraisal Systems, Inc. to conduct a Borough wide reassessment based on the New Jersey State Department of Treasury’s position that authorization to conduct such a reassessment would not be secured due to insufficient time to conduct the reassessment for the 2014 tax year.

REQUEST FOR PROPOSAL REJECTION

REASSESSMENT FIRM

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, released a Request For Proposal on October 10, 2013 in order to secure the services of a firm to conduct a Borough wide reassessment of all real property for assessment purposes in the Borough as of October 1, 2013 for the 2014 tax year; and

WHEREAS, on October 22, 2013, in response to that solicitation, the Borough received one response from Appraisal Systems, Inc., Glen Rock, New Jersey; and

WHEREAS, in order to conduct a Borough wide reassessment authorization must be secured from the Passaic County Board of Taxation and the New Jersey State Department of Treasury; and

WHEREAS, the Borough was advised by representatives of the Department of Treasury that authorization to conduct a Borough wide reassessment would not be secured due to insufficient time to conduct the reassessment for the 2014 tax year;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the New Jersey State Department of Treasury’s position that there was insufficient time to conduct the Borough wide reassessment for the 2014 tax year, do hereby reject the Request For Proposal from Appraisal Systems, Inc., Glen Rock, New Jersey.

E. Resolution R13-328, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to cancel the unexpended appropriation of the Current Fund – Stormwater Management in the amount of \$22,000.00.

CANCEL UNEXPENDED APPROPRIATION OF THE CURRENT FUND

WHEREAS, the 2013 Current Fund Appropriation Budget contains a line item entitled Stormwater Management with a total appropriation of \$22,000; and

WHEREAS, the unexpended appropriation balance of \$22,000.00 is no longer necessary and is in excess of the requirements for the 2013 Current Fund Budget; and

WHEREAS, the appropriation was listed in the 2013 Budget as follows:

- General Appropriations
 - Operations – Excluded from “CAPS”
 - Unclassified:
 - Stormwater Management

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 R13-329, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to cancel the unexpended appropriation of the Current Fund – Group Insurance Cap Exception in the amount of 85,539.00.

CANCEL UNEXPENDED APPROPRIATION OF THE CURRENT FUND

WHEREAS, the 2013 Current Fund Appropriation Budget contains a line item entitled Group Insurance Cap Exception with a total appropriation of \$85,539.00; and

WHEREAS, the unexpended appropriation balance of \$85,539.00 is no longer necessary and is in excess of the requirements for the 2013 Current Fund Budget; and

WHEREAS, the appropriation was listed in the 2013 Budget as follows:

- General Appropriations
 - Operations – Excluded from “CAPS”
 - Unclassified:
 - Group Insurance Cap Exception

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.

G. Resolution R13-330, a resolution authorizing the Tax Assessor of the Borough of Woodland Park to return the total of \$1,995.28 for the settlement of a tax appeal regarding lot 12.01 in block 113, qualifier c3805 as set forth on the official tax map in regard to property owned by Alice Sodowick and to adjust the assessments accordingly.

**RESOLUTION AUTHORIZING THE SETTLEMENT
OF TAX APPEAL REGARDING LOT 12.01 IN BLOCK 113
QUALIFIER C3805 AS SET FORTH ON THE OFFICIAL TAX MAP OF
THE BOROUGH OF WOODLAND PARK IN REGARD TO PROPERTY
OWNED BY ALICE SODOWICK**

WHEREAS, Alice Sodowick is the owner of property located at 18 Garnet Drive, on Lot 12.01 in Block 113 Qualifier C3805 as set forth on the official tax map of the Borough of Woodland Park, and who has filed appeals with the Tax Court of the State of New Jersey bearing Docket Nos. 014981-2011, 010848-2012 and 011082-2013 from the assessed values of said property for tax years 2011 through 2013; and

WHEREAS, the parties have agreed that the plaintiff will withdraw the 2011 appeal and to reductions in the aggregate assessments from a total of \$555,600 to a total of \$525,000 for 2012 and to a total of \$510,000 for 2013; and

WHEREAS, the Borough Tax Assessor, Borough Appraiser and Tax Counsel have agreed to the settlement values for the 2011 through 2013 tax years in accordance with the settlement; and

WHEREAS, the settlement results in a total tax refund for all years in the amount of \$1,995.28, of which will be made payable to the plaintiff’s attorney in this matter upon the issuance of the judgments; and

WHEREAS, the Borough Council for the Borough of Woodland Park has determined that it is in the best interests of the Borough to adjust the assessments on the aforesaid properties for tax years 2011 through 2013 in accordance with the settlement.

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

1. The tax assessment on the property located at 18 Garnet Drive otherwise designated as Lot 12.01 in Block 113 Qualifier C3805 on the official tax map of the Borough of Woodland Park shall have no reduction for 2011, be reduced to \$525,000 for 2012 and \$510,000 for 2013.

2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$1,995.28 upon issuance of the Tax Court Judgment.

3. This Resolution shall take effect immediately or as otherwise provided by law.

H. Resolution R13-331, a resolution authorizing the Tax Assessor of the Borough of Woodland Park to return the total of \$1,921.33 for the settlement of a tax appeal regarding lot 15 in block 41 as set forth on the official tax map in regard to property owned by Angela Silvestri and to adjust the assessments accordingly.

**RESOLUTION AUTHORIZING THE SETTLEMENT
OF TAX APPEAL REGARDING LOT 15 IN BLOCK 41
AS SET FORTH ON THE OFFICIAL TAX MAP OF
THE BOROUGH OF WOODLAND PARK IN REGARD TO PROPERTY
OWNED BY ANGELA SILVESTRI**

WHEREAS, Angela Silvestri is the owner of property located at 15 Borrego Drive, on Lot 15 in Block 41 as set forth on the official tax map of the Borough of Woodland Park, and who has filed an appeal with the Tax Court of the State of New Jersey bearing Docket No. 013139-2012 from the assessed values of said property for tax year 2012; and

WHEREAS, the parties have agreed to a reduction in the aggregate assessment from a total of \$386,800 to a total of \$350,000 for tax year 2012; and

WHEREAS, as per the Stipulation of Settlement the settlement assessment of \$350,000 for 2012 will also be applicable to the 2013 Tax Year by way of the Freeze Act; and

WHEREAS, the Borough Tax Assessor, Borough Appraiser and Tax Counsel have agreed to the reductions in value on the property for the 2012 and 2013 tax years in accordance with the settlement; and

WHEREAS, the settlement results in a total tax refund for the tax years 2012 and 2013 in the amount of \$1,921.33, of which will be made payable to the plaintiff's attorney in this matter upon the issuance of the judgments; and

WHEREAS, the Borough Council for the Borough of Woodland Park has determined that it is in the best interests of the Borough to adjust the assessments on the aforesaid properties for tax years 2012 and 2013 in accordance with the settlement.

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

1. The tax assessment on the property located at 15 Borrego Drive otherwise designated as Lot 15 in Block 41 on the official tax map of the Borough of Woodland Park shall be reduced to \$350,000 for 2012 and 2013.
2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$1,921.33 upon issuance of the Tax Court Judgment.
3. This Resolution shall take effect immediately or as otherwise provided by law.

I. Resolution R13-334, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of Calendar Year 2013 in the sum of \$2,283.80 for the New Jersey Division of Motor Vehicles – Drunk Driving Enforcement Fund.

INSERTION OF AN ITEM OF REVENUE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Woodland Park has received notice of an award of \$2,283.80 from the State of New Jersey, Division of Motor Vehicles, Drunk Driving Enforcement Fund, and wishes to amend its Calendar Year 2013 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2013 in the sum of\$2,283.80.

Which is now available as an item of revenue from:

- Miscellaneous Revenues:
 - Section F: Special Items of General Revenue Anticipated
 - With Prior Written Consent of Director of Local Government Services – Public and Private Revenues
- Offset with Appropriations:
 - New Jersey Division of Motor Vehicles –
 - Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that the like sum of\$2,283.80.

Be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations Excluded from CAPS

Public and Private Programs offset by Revenues:

New Jersey Division of Motor Vehicles –

Drunk Driving Enforcement Fund

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

J. Resolution R13-335, a resolution based on the recommendation of Chief Paul Salomone, approving the application of Ismael Vasquez, 158 Jackson Avenue, Woodland Park, to become a West Paterson Volunteer Firefighter.

ACCEPTANCE OF FIREFIGHTER APPLICATION

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Ismael Vasquez, 158 Jackson, Woodland Park, New Jersey 07424 and is seeking approval to become a West Paterson Volunteer Firefighter; and

WHEREAS, the above named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, based on the recommendation of Chief Paul Salomone, approves the application of Ismael Vasquez, 158 Jackson Avenue, Woodland Park, New Jersey 07424 to become a West Paterson Volunteer Firefighter.

K. Resolution R13-336, a resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2013 in the sum of \$5,000.00 from the Passaic County 2012 Emergency Management Performance Grant.

INSERTION OF AN ITEM OF REVENUE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Woodland Park has received notice of an award of \$5,000.00 from the Passaic County 2012 Emergency Management Performance Grant wishes to amend its Calendar Year 2013 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the Calendar Year 2013 in the sum of\$5,000.00

Which is now available as an item of revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated

With Prior Written Consent of Director of Local

Government Services – Public and Private Revenues

Offset with Appropriations:

Passaic Cty 2012 Emergency Management Performance Grant

BE IT FURTHER RESOLVED that the like sum of\$5,000.00

Be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations Excluded from CAPS

Public and Private Programs offset by Revenues:

Passaic Cty 2012 Emergency Management Performance Grant

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

L. Resolution R13-337, a resolution authorizing the Borough Administrator to prepare and advertise a bid for the lease of Borough owned property, specifically Block 58 Lot 14.01, for the use of erecting a billboard by a third party in compliance with all Federal, State, County and Local Statutes for a period not to exceed twenty (20) years with an additional ten (10) year option.

RESOLUTION AUTHORIZING THE PUBLIC SOLICITATION OF RESPONSES TO A BID FOR THE AWARD OF A LEASE THAT WOULD PERMIT THE PLACEMENT OF A BILLBOARD ON BOROUGH OWNED PROPERTY PROVIDING A NEW SOURCE OF REVENUE FOR THE MUNICIPALITY

WHEREAS, the Borough of Woodland Park is the owner of a lot that is suitably located for the placement of a billboard (Block 58, Lot 14.01 north-east corner at the intersection of McBride Avenue and Brophy Lane); and

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey believe that substantial revenue can be derived for the Borough by the leasing of space on this lot for billboard use; and

WHEREAS, the Mayor and Council are of the opinion at this time that it would not be in the interests of the municipality to attempt to sell this undersized lot; and

WHEREAS, the Mayor and Council are of the opinion that the interests of the municipality will best be served by the granting of a long-term lease to use this lot by an independent third party for the construction of a billboard;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby authorize the Borough’s Administrator to prepare and advertise a bid for the lease of Borough owned property, specifically Block 58 Lot 14.01, for the use of erecting a billboard by a third party in compliance with all Federal, State, County and Local Statutes for a period not to exceed twenty (20) years with an additional ten (10) year option; and

BE IT FURTHER RESOLVED, that the minimum Annual Base Lease Fee Guarantee shall be no less than \$50,000.00 and the Annual Revenue Percentage Participation be no less than 20%, and that upon completion of the bidding, the Mayor and Council reserve the right to award a contract to the highest bidder or reject all of the bids in compliance with N.J.S.A. 40A: 12-14.

M. Resolution R13-338, a resolution approving Ms. Maria Zafarino’s application for a handicap parking spot in front of her residence at 21 McKeown Avenue, Woodland Park for the exclusive use of Ms. Zafarino.

HANDICAPPED PARKING SPACE

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey adopted Ordinance 08-11, on September 3, 2008, and amended by Ordinance 09-14, on September 2, 2009, permitting disabled residents of the Borough of Woodland Park to apply for a handicapped parking space in the front of their residences; and

WHEREAS, Ms. Maria Zafarino, 21 McKeown Avenue, Woodland Park, has applied to the Borough Clerk’s Office for such handicapped parking and has complied with all the terms of Ordinances 08-11 and 09-14; and

WHEREAS, an investigation was done by the Woodland Park Police Department and said approval has been recommended by that department;

NOW BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby approve Ms. Maria Zafarino’s application and gives authorization to have a restricted parking zone, with handicapped signs, placed in the front of 21 McKeown Avenue, Woodland Park for the exclusive use of Ms. Zafarino.

N. Resolution R13-339, a resolution in conjunction with the Centennial Celebration, a resolution authorizing that the payment of \$3,265.19 be made to the vendors listed in the resolution for materials provided in conjunction with said Centennial Celebration; 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; and

BAND	PRICE	DEPOSIT
Blessed Sacrament Golden Knights	\$2500.00	\$0.00

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

VENDOR	EXPLANATION	COST
Best Buy	Computer	\$1334.95
Deptcor	12’ Green Post	\$774.00
Miss NJ	Personal Appearance	\$400.00
WB Mason	Printing Supplies	\$756.24

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 of \$3,265.19 to the vendors listed for materials provided in conjunction with said Centennial Celebration. Said charges shall be made from the Centennial Celebration Trust Account.

O. Resolution R13-340, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to make budget transfers as

outlined in this resolution.

BUDGET TRANSFER

WHEREAS, the Borough Council of the Borough of Woodland Park did adopt a budget for the year 2012 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 18, 2013	2013 BUDGET TRANSFERS	OUT	IN
3-01-20-100-101-010	General Administration - S/W		\$10,000.00
3-01-20-100-101-020	General Administration - O/E	\$10,000.00	
3-01-20-110-110-010	Mayor & Council - S&W		\$2.00
3-01-20-130-130-010	Financial Administration - S/W		\$5,000.00
3-01-20-130-130-020	Financial Administration - O/E	\$5,000.00	
3-01-20-145-145-010	Collection of Taxes - S/W		\$1,200.00
3-01-20-150-150-010	Tax Assessment - S/W	\$3,000.00	
3-01-20-150-150-020	Tax Assessment - O/E		\$15,000.00
3-01-20-155-155-020	Legal Services - O/E		\$25,000.00
3-01-21-180-180-010	Planning Board S/W		\$255.00
3-01-21-185-185-010	Zoning Board of Adjustment - S/W		\$55.00
3-01-22-195-195-010	Uniform Construction Code - S/W		\$4,800.00
3-01-23-210-211-020	Surety Bond Premiums	\$1,470.00	
3-01-23-220-220-020	Group Insurance	\$50,000.00	
3-01-25-240-240-000	Police Department - S/W	\$67,105.00	
3-01-25-265-265-020	Fire Department - O/E		\$12,500.00
3-01-25-265-269-020	Life Hazard Use Fees - O/E		\$200.00
3-01-26-290-290-010	Streets & Roads - S/W	\$15,000.00	

3-01-26-300-301-010	Sewer Systems S/W	\$10,000.00	
3-01-26-300-301-020	Sewer Systems O/E		\$10,000.00
3-01-26-310-310-010	Building & Grounds - S/W		\$3,000.00
3-01-26-310-310-020	Building & Grounds - O/E	\$3,000.00	
3-01-26-315-315-020	Vehicle Maintenance - O/E		\$3,000.00
3-01-30-420-420-020	Celebration of Public Events - Centennial		\$20,000.00
3-01-31-435-435-020	Street Lighting	\$8,000.00	
3-01-36-476-476-020	Unemployment Fund		\$11,063.00
3-01-43-490-490-020	Municipal Court O/E		\$1,500.00
3-01-44-901-901-020	Capital Improvement Fund		\$50,000.00
		\$172,575.00	\$172,575.00

P. Resolution R13-341, a resolution to approve the actions noted in the Consent Agenda, items A. through O., 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 O. be and are hereby approved and the proper officers are directed to take necessary action on same.

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

COLLECTOR/TREASURER REPORT:

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilwoman Pascrell, seconded by Councilman Decesare and unanimously passed on roll call vote, the Council confirmed the payment of the 12/30/13 regular and miscellaneous payroll estimated at \$300,000.00.

Upon Motion made by Councilwoman Gatti, seconded by Councilwoman Kallert and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 12/18/13 totaling \$740,192.14.

DEPARTMENT REPORTS:

1. Police Report for November 2013.
2. Fire Prevention Report for November 2013.
3. Summary Budget Status Report for December 13, 2013.

OLD BUSINESS:

A. Public Hearing on Borough Ordinance No. 13-12

Upon motion made by Councilman DeCesare, seconded by Councilwoman Kallert and passed on roll call vote, a public hearing was opened on Ordinance No. 13-12.

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

B. Resolution R13-332, adoption of Borough Ordinance No. 13-12

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

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled; **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** and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated December 2, 2013, setting the date of December 18, 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 27, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled **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** 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 Councilman DeCesare, seconded by Councilwoman Pascrell, the foregoing resolution was unanimously adopted on roll call vote.

A. Public Hearing on Borough Ordinance No. 13-15

Upon motion made by Councilman DeCesare, seconded by Councilwoman Gatti and passed on roll call vote, a public hearing was opened on Ordinance No. 13-12.

Police Chief Galiette spoke about the Commercial Vehicle Parking Ordinance and how the Ordinance needs to be reviewed and how some changes need to be made to the Ordinance.

Caren DaSilva spoke about the Commercial Vehicle Parking Ordinance and gave her concerns about the Ordinance.

Sanjay Desai spoke about the Commercial Vehicle Parking Ordinance and gave his

concerns about the Ordinance.

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

At this time, Mayor Kazmark requested that Resolution R13-333, a resolution adopting Borough Ordinance No. 13-15 be tabled. Upon motion made by Councilman DeCesare, seconded by Councilman Spinelli, the foregoing resolution was unanimously tabled 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:

- Personnel Matters

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 confidentiality and if not then legally privileged

Upon Motion made by Councilman Spinelli, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, the Mayor and Council moved into executive session at 7:55 p.m.

The Executive Session was adjourned at 8:25 p.m., and all present promptly returned to the Regular Meeting without delay.

ADJOURNMENT:

There being no further business to come before the Council, upon Motion by Councilwoman Gatti, seconded by Councilwoman Kallert and unanimously passed on roll call vote, the meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Keith Kazmark
Mayor