

**BOROUGH OF WOODLAND PARK
REGULAR MEETING OF THE MUNICIPAL COUNCIL
HELD ON, APRIL 1, 2015**

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 1, 2015 and was called to order by Mayor Keith Kazmark at 6:00 p.m.

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

Absent: Councilman Holloway

Kevin Galland, Administrator/Municipal Clerk, Sandra Olivola, 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 7, 2015 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:

The Mayor together with the County Clerk, Kristen Corrado presented certificates of recognition to Alicia Mahooth and Hailey Casillas for winning the 2015 Passaic County Poster Contest.

INTRODUCTION OF 2015 BUDGET

The Mayor gave an overview of the 2012 Budget.

He began by stating that there was a decrease of over \$22,000 in the salaries/wages line items. With regard to appropriations, the Mayor went over each and every expenditure made by the Borough in 2011. He stated that expenses such as debt service, health benefits, gasoline and insurance increased since last year and yet, could have been absorbed if it were not for expenses from Hurricane Irene, which must be paid out of the 2012 Budget, and the filing of bankruptcy by 1225 McBride Avenue, LLC. Because of this bankruptcy, 1225 McBride Avenue did not pay the last two quarters of their taxes which totaled \$425,000 in lost revenue. They also did not pay \$119,000 which was due for the first quarter of 2012. He stated that these two issues must be made up in the 2012 spending plan. The Budget will show a \$77.00 tax increase on an average home assessed at \$365,000.

Steve Wielkotz reiterated what Mayor Kazmark said with regard to the 1225 McBride Avenue LLC bankruptcy. He stated that if they were only delinquent with their taxes, we would have been able to anticipate the delinquent taxes in the Budget as a revenue due to the fact that we did not collect it last year. Had we collected it last year, our surplus would have been over \$400,000 higher. Mr. Wielkotz stated that by filing bankruptcy, it prevents us from anticipating that revenue in the Budget as revenue from delinquent taxes. He stated that spending is up \$665,000; of that amount \$304,000 is the flood emergency from last year that has to be raised in this year's Budget. He stated that on the tax side, the increase is a little over three (3%) percent. He stated that in spite of the bankruptcy, we had a good year in surplus. There was an increase, across the board, with insurances and gasoline which we have no control over. He stated that because of the bankruptcy of 1225 McBride Avenue LLC and the flooding, he feels, even though taxes were raised \$77.00 on an average home assessed at \$365,000, that this is a good Budget.

Councilman DiDomenico asked what the municipal portion of the taxes are. Steve Wielkotz explained how the municipal portion of the taxes are calculated. Councilman

DiDomenico asked why we used just about one hundred (100%) of our cash in surplus this year. He stated that we have never done this before and asked Mr. Wielkotz why we were doing it this year. Mr. Wielkotz stated that we are expecting a significant reimbursement from FEMA for last year's flood emergency.

A. Resolution R15-091, an ordinance to exceed the Municipal Budget appropriation limits and to establish a cap bank for the calendar year 2015.

**BOROUGH ORDINANCE 15-2
AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Woodland Park in the County of Passaic finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$235,664.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Woodland Park, in the County of Passaic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Woodland Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$412,412.81, and that the CY 2015 municipal budget for the Borough of Woodland Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

B. Resolution R15-092, a resolution authorizing an increase in deferred school taxes for the local and regional high school.

**AUTHORIZING INCREASE IN DEFERRED SCHOOL TAXES
FOR LOCAL AND REGIONAL HIGH SCHOOL TAXES**

WHEREAS, the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

WHEREAS, the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough at this time,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the following Deferred School Taxes be hereby increased for the year ended December 31, 2014 as follows:

	<u>Deferred Local School Taxes</u>	<u>Deferred Regional High School Taxes</u>
Amount Deferred 12/31/13	\$7,314,996.96	\$3,353,048.43
Amount Deferred 12/31/14	\$7,456,034.48	\$3,685,933.50

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

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

- C. **Resolution R15-093, a resolution requesting authorization to utilize a 98.50% percentage rate of collection of taxes in 2015 for “Reserve for Uncollected Taxes”.**

**RESOLUTION PROVIDING FOR INCREASE IN RESERVE
FOR UNCOLLECTED TAXES PERCENTAGE**

WHEREAS, the Borough of Woodland Park collected only 97.28% of the 2014 taxes due to an increase in State and County tax appeals as a result of unfavorable economic conditions in the local economy and real estate markets for 2014, and

WHEREAS, the lower percentage collected in 2014 has an effect on the “Reserve for Uncollected Taxes” in 2015; and

WHEREAS, the Governing Body is desirous of reducing the 2014 total tax levy by the amount of the tax appeals in calculating the 2014 tax collection percentage resulting in a collection percentage of 99.11% for 2014, and

WHEREAS, the Governing Body desires to anticipate 98.50% collection for 2015, to help reduce the “Reserve for Uncollected Taxes”, with prior written consent of the Director of Local Government Services,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Woodland Park, County of Passaic, State of New Jersey that the prior written consent of the Director of Local Government Services be requested to anticipate 98.50% collection of taxes in 2015 in figuring the “Reserve for Uncollected Taxes”.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

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

- D. **Resolution R15-094, a resolution to introduce 2015 Budget.**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2015;

Appropriations within cap	\$12,369,992.00
Appropriations excluded from cap	\$ 3,537,923.03
Reserve for uncollected taxes	\$ 734,000.00

Total General Appropriations	\$16,641,915.03
Anticipated Revenues	\$ 4,225,463.03
Amount to be raised by taxation	\$11,845,291.00

BE IT FURTHER RESOLVED that said Budget be published in the North Jersey Herald News in the issue of April 9, 2015.

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

PUBLIC HEARINGS:

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

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

MINUTES:

Upon Motion by Councilman Spinelli, seconded by Councilman DeCesare, and passed on roll call vote, the Minutes of the Regular Meeting of December 3, 2014 and December 17, 2014, were approved as submitted.

CONFERENCE COMMITTEE REPORTS:

- A. Administration & Finance – Councilwoman Gatti reported that
- B. Public Works – Councilman Spinelli reported that
- C. Public Safety – Councilman DeCesare reported on the Paterson Ambulance Squad which had 36 calls from 6:00 A.M. to 6:00 P.M. and responded in 14 minutes and the West Paterson Ambulance Squad had 26 calls from 6:00 P.M. to 6:00 A.M. and responded in 6 minutes. He mentioned his committee will be discussing the replacement of the Police Department desk.
- D. Health & Senior Services – Councilwoman Kallert reported that
- E. Recreation & Community Relations – Councilwoman Pascrell reported
- F. Laws & Ordinances – Councilman Holloway reported that

MAYOR'S REPORT:

The Mayor reported about the Governance of Route 46 and Browertown Road at the intersection where the Walgreens is being built. The Exit of the Walgreens is the only part of the property that resides in Woodland Park. The parking lot and the building itself will reside in Little Falls. It is the opinion of Police Chief Gallietti and the Borough Attorney, Albert Buglione that the exit of the parking lot and intersection is in Woodland Park and therefore must be regulated by Woodland Park. However, the previous Township Council which sat in Little Falls in 2014 introduced and adopted an ordinance that in part governs this intersection.

The Mayor advised that he is seeking permission from the governing body to authorize Mr. Buglione to issue a letter to the governing body of Little Falls advising them that the Borough of Woodland Park would need to govern this intersection. The letter should also request that Little Falls repeal at least part of their ordinance to allow the Woodland Park governing body to enact an ordinance that would govern this intersection, rather than Little Falls.

The Mayor further thanked Chief Gallietti and his Department for the work that has been put in thus far in evaluating this ordinance and trying to do what is in the best interest for our Borough.

Upon Motion made by Councilman Halloway, and seconded by Councilman Spinelli, the foregoing was unanimously approved on roll call vote.

MUNICIPAL ATTORNEY'S REPORT:

Albert Buglione, Esq. reported that they continue with their ongoing projects and there is nothing new to 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 R15-057, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the total of \$270.30 for the overpayment of taxes to Wells Fargo Home Mortgage, P.O. Box 10368, Des Moines, IA 50306-0368 with reference to Block 113, Lot 12.01, Qualifier C6205, and to adjust the books and records accordingly.**

OVERPAYMENT OF TAXES

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 an overpayment of taxes, in the amount of \$270.30, was made by Wells Fargo Home Mortgage, with reference to, Block 113, Lot 12.01, Qualifier C6205; and

WHEREAS, Wells Fargo Home Mortgage has requested, in writing, that this overpayment be returned to them; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made to Wells Fargo Home Mortgage; and

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$270.30 for the overpayment of taxes to Wells Fargo Home Mortgage, P.O. Box 10368, Des Moines, IA 50306-0368, with reference to Block 113, Lot 12.01, Qualifier C6205; and

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

- B. **Resolution R15-058, a resolution authorizing the use of Memorial, Diane Grimes and Zaccaria Park Fields by the West Paterson Soccer Association subject to the conditions set forth in said resolution.**

**AUTHORIZE USE OF BOROUGH FIELDS
BY THE WEST PATERSON SOCCER ASSOCIATION**

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 the West Paterson Soccer Association requesting the use of Borough's recreational fields; and

WHEREAS, the application has been reviewed and found to be in compliance with the application requirements established in Resolution R06-78 by this Mayor and Council; and

WHEREAS, with regard to the main area of Memorial Field, absolutely no practices will be permitted and the following schedule will be adhered to by the West Paterson Soccer Association:

10 weeks, 2 games/week for a total of 20 events – Spring
10 weeks, 2 games/week for a total of 20 events - Fall

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 use of Zaccaria, Diane Grimes and Memorial Fields to the Woodland Park Soccer Association for the play of soccer, subject to the following conditions:

1. Use of the fields is for the time period March 1, 2015 through December 31, 2015 with the approval of the Superintendent of Public Works following an assessment of field conditions upon said date.
2. No player, upon reaching the age of eighteen (18) shall be permitted to play, unless said player has not completed his/her twelfth (12) grade of education.
3. Authorized use of Zaccaria, Diane Grimes and Memorial Fields shall be scheduled through the Officers of the West Paterson Boys and Girls Club.
4. At no time shall any team roster consist of more than 25% non-Woodland Park residents.
5. A priority shall be provided to Woodland Park residents for roster placement.
6. A roster of team players shall be provided to the Borough's Administrator. Information to be provided: Team Name; head coach name and home address; assistant coaches' names and home addresses; individual players' names, home addresses and dates of birth. Information to be provided at team formation and when any and all additions, deletions, and/or substitutions are made. Appropriate steps shall be taken to protect the privacy and confidentiality of team players' information.
7. Use of fields following inclement weather. The Superintendent of the Department of Public Works (or designee) will have sole authority in determining field suitability. If the Superintendent determines that a field is not playable, all planned events will be cancelled for the day in question. The Superintendent's decision is not challengeable. Only one representative will call the Superintendent of the Department of Public Works regarding field availability following inclement weather.
8. With regard to the lighting on the fields: Sunday through Thursday, the lights will automatically turn off at 10:30 p.m and Friday and Saturday, the lights will automatically turn off at 11:00 p.m. No one is permitted on the field after the lights are turned off.
9. With regard to the main area of Memorial Field, absolutely no practices will be permitted and the following schedule will be adhered to by the West Paterson Soccer Association:

10 weeks, 2 games/week for a total of 20 events – Spring
10 weeks, 2 games/week for a total of 20 events - Fall

C. Resolution R15-059, a resolution authorizing the submission of an application for the Woodland Park Municipal Alliance Grant for the calendar year, 2015, in the amount of \$22,440.00.

MUNICIPAL ALLIANCE GRANT

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, recognize that the abuse of alcohol and drugs are a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and Council further recognize that it is incumbent upon not only public officials, but also upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council desire to apply for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Passaic;

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, does hereby authorize submission of an application for the Woodland Park Municipal Alliance grant for calendar year 2015 in the amount of \$22,440.00; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

- D. Resolution R15-060, a resolution awarding a contract to Camp Auto & Truck Parts, Inc., 9 Whitmore Avenue, Wayne, NJ to provide mechanical, wrecking, recovery, road, and towing services on behalf of the Borough of Woodland Park for the time period February 1, 2015 through January 31, 2016 for a payment to the Borough in the amount of \$22,000.00, and further reserves the right to award or not to award a contract for the third twelve month period at a future date under this bid.**

**AWARD OF CONTRACT
MECHANICAL TOWING FOR THE BOROUGH**

WHEREAS, on September 4, 2013, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, awarded a contract (R13-238) under Bid #13-06 to Camp Auto & Truck Parts, Inc., 9 Whitmore Avenue, Wayne, NJ to provide mechanical, wrecking, recovery, road, and towing services on behalf of the Borough of Woodland Park for the time period February 1, 2014 through January 31, 2015 for a payment to the Borough in the amount of \$34,000.00; and

WHEREAS, the bid was designed that an award would be made to the responsive/responsible bidder offering the highest payment to the Borough for the first twelve month period with the option, at the sole discretion of the Borough, to award contract(s) for the second and third twelve month periods; and

WHEREAS, it has been determined that the vendor has complied with all of the terms and conditions in Bid #13-06 since the inception of the contract; and

WHEREAS, it is the recommendation of the Borough Administrator that this governing body award a contract to Camp Auto & Truck Parts, Inc., to cover the second twelve month period, February 1, 2015 through January 31, 2016;

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 Camp Auto & Truck Parts, Inc., 9 Whitmore Avenue, Wayne, NJ to provide mechanical, wrecking, recovery, road, and towing services on behalf of the Borough of

Woodland Park for the time period February 1, 2015 through January 31, 2016 for a payment to the Borough in the amount of \$22,000.00.

- E. Resolution 15-061, a resolution authorize the use of the Borough's and Board of Education's recreational fields including Diane Grimes Field, Zaccaria Park Field, Memorial Fields and School #1 Field for the time period January 1, 2015 through June 30, 2015, to the West Paterson Boys and Girls Club

**AUTHORIZE USE OF THE BOROUGH'S AND BOARD
OF EDUCATION'S RECREATIONAL FIELDS BY THE WEST PATERSON
BOYS AND GIRLS CLUB**

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 the West Paterson Boys and Girls Club, which is considered the primary youth athletics organization in the Borough, requesting the use of the Borough's and Board of Education's recreational fields including Memorial School Fields, Diane Grimes Field, Zaccaria Park Field and School #1 Field; and

WHEREAS, the request has been reviewed and found to be in compliance with the application requirements established in Resolution R06-78 by this Mayor and Council; and

WHEREAS, that the Mayor and Council of the Borough of Woodland Park, in the County of Passaic, State of New Jersey, hereby authorize the use of the Borough's and Board of Education's recreational fields including Diane Grimes Field, Zaccaria Park Field, Memorial Fields and School #1 Field for the time period January 1, 2015 through December 31, 2015, to the West Paterson Boys and Girls Club, and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council hereby authorize the use of for the time period January 1, 2015 through June 30, 2015 for the sole purpose of youth baseball and softball practices and games, to the West Paterson Boys and Girls Club subject to the following conditions for all lighted fields:

With regard to the lighting on the fields: Sunday through Thursday, the lights will automatically turn off at 10:30 p.m. and Friday and Saturday, the lights will automatically turn off at 11:00 p.m. No one is permitted on the field after the lights are turned off; and

BE IT FURTHER RESOLVED, that the use of the main area of Memorial Field shall be limited to the following:

- WPSA – 10 weeks, 2 games/week for a total of 20 events - Spring
10 weeks, 2 games/week for a total of 20 events - Fall
- WPFA – 4 teams/4 home games and 4 playoff games for a total of 20 events –
Fall only

- F. Resolution R15-062, a resolution to approve the actions noted in the Consent Agenda, items A. through D., 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., B. and C. be and are hereby approved and the proper officers are directed to take necessary action on same.

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

Upon Motion made by Councilman DeCesare, and seconded by Councilwomen Gatti, 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 Gatti, seconded by Councilman DeCesare, and unanimously passed on roll call vote, the Council confirmed the payment of the 2/13/2015 regular and miscellaneous payroll estimated at \$250,000.00.

Upon Motion made by Councilman Holloway, seconded by Councilman DeCesare, and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 02/13/15 totaling \$2,394,464.07.

DEPARTMENT REPORTS:

1. Police Report for All Time January 2015.
2. Police Report for January 2015
3. Fire Prevention Report for January 2015
4. Summary Budget Status Report of February 13, 2015

Upon Motion made by Councilman Spinelli, seconded by Councilman DeCesare, and unanimously passed on roll call vote, the Council approved the Departmental reports as submitted.

ADJOURNMENT:

There being no further business to come before the Council, upon Motion by Councilman Spinelli, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, the meeting was adjourned at 6:36 P.M. and would reconvene for the presentation portion of the meeting at 7:00 P.M.

Respectfully submitted,

Kevin V. Galland
Municipal Clerk

Keith Kazmark
Mayor