

**BOROUGH OF WOODLAND PARK  
REGULAR MEETING OF THE MUNICIPAL COUNCIL  
HELD ON, JUNE 3, 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 June 3, 2015 and was called to order by Mayor Keith Kazmark at 7:00 p.m.

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

Absent: None

Kevin Galland, Administrator, 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:**

Certificates were awarded by Mayor Kazmark, Councilwoman Rita Pascrell and Council President Kallert to the Passaic Valley Basketball League Champions of the Panthers 3<sup>rd</sup>/4<sup>th</sup> Grade Girls Team, 5<sup>th</sup>/6<sup>th</sup> Grade Boys and the 7<sup>th</sup>/8<sup>th</sup> Grade Boys in recognition of their outstanding performance in the league.

3<sup>rd</sup>/4<sup>th</sup> Grade Girls Coaches: Danny Clark and Karen Blanc.

Players: Ayla Brito, Madison Cook, Yastika Singh, Annabella Barnes, Katlin Clark, Juliana Manzi, Emily Ramos and Samantha Ramos.

5<sup>th</sup>/6<sup>th</sup> Grade Boys Coaches: Larry Whitney and Rich Cannataro.

Players: Brandon Cannataro, Ahmad Chaabane, John DaSilva, Adham Hamouda, Kush Patel, Brian Whitney and Elliot Whitney.

7<sup>th</sup>/8<sup>th</sup> Grade Boys Coach: Noel Assaf

Players: Steven Nitch, Justin Rusconi, Rafael Santana, Mohsen Sherifi, Luke DaSilva, Gabriel Jurkic, Anthony Gravino-Perdomo, John Cusack and Hassan Chaabane.

**PUBLIC HEARINGS:**

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

Sanjay Desai, 186 Mt. Pleasant Ave. Woodland Park, NJ spoke regarding various item. He questioned, when will Mt. Pleasant Ave. be repaved; complaining of the many cracks in the roadway. Also questioned, did we apply for state funding?

Mr. Desai questioned the parking on Mt. Pleasant Ave and the various hours that cars are parked there. He believes residents with commercial a business and others are not obeying the time restriction set forth in the ordinance.

In regards to item B on the agenda, Soil Permit for the Notchwood Commons Project, will the builders be replacing the trees that they are taking down?

Mr. Desai has an issue with the rain runoff coming from the handicap ramp onto his property from Brookview Drive. He would also like the ordinance to be changed regarding parking during a snow fall.

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

Mayor Kazmark responded to Mr. Desai's concerns. At this time Mt. Pleasant Avenue is not on the resurfacing schedule. The Public Safety Committee, George Galbraith and the Borough Engineer will be sitting down and restructure a new plan for resurfacing this coming September.

Mt. Pleasant Avenue does not have alternate side of the street parking between Brophy and Woodrow. The particular vehicle which you are pertaining to was visited by myself and Councilman Decesare and it has been found to be legally parked.

In reference to the ADA handicap ramps, I understand your concern however the curb cutout and sizing are mandated by the state. Unfortunately, our obligation to this grant does not allow us any alterations to the ramps.

Lastly, with the last two heavy snow seasons past us we feel our operation is running efficiently, and at this time there is no consideration to changing the flow of this system.

Councilman Decesare addressed Mr. Desai by stating; himself, George Galbraith and Councilman Spinelli investigated the parking issue on Mt. Pleasant and Woodrow Avenues and was told that the vehicle was parked legally. Councilman Decesare asked Mr. Desai to address the police department directly with any other issues he may have. Mayor Kazmark interjected and echoed the same sentiment not just to Mr. Desai but to all residents.

#### **MINUTES:**

Upon Motion by Councilman Spinelli, seconded by Councilman Decesare and passed on roll call vote, the Minutes of the Regular Meeting of February 4, 2015, and Executive Session of April 1, 2015 were approved as submitted. Councilman Holloway abstained on April 1, 2015 minutes.

#### **MAYOR'S REPORT:**

Mayor Kazmark will be holding a meeting on June 9, 2015, at 12:30 with Passaic County Administrator, Anthony DeNova along with the County Engineer to discuss modification needed to the Walgreen, Browertown Rd. entrance and exit.

#### **CONFERENCE COMMITTEE REPORTS:**

Public Works – Councilman Spinelli reported that George Galbraith and the committee had a meeting with PSE&G and were told that the Dowling Project is at 75% completion. Also, work on the concrete wall at the Recycling Center will be starting soon. The 24" sanitary sewer force main project is progressing nicely. He announced that we will be flushing the fire hydrants shortly, so if you should see brown water please run your water until clear.

Public Safety – Councilman DeCesare asked for prayers for Gene Markowski a member of the WPFd who will be undergoing open heart surgery. He stated that the resident Shredding Day was a big success with 4,000 pounds of paper shredded. Numerous residents asked if we will be repeating this event. He advised that if we have the funds perhaps another shredding date can be scheduled this coming fall.

Health & Senior Services – Councilwoman Kallert spoke on the topic of flood insurance. There is a new group, TFIA sponsored by Lloyds of London. She will try to get additional information regarding premiums and will pass it on at a later date.

Recreation & Community Relations – Councilwoman Pascrell reported on upcoming events. She announced the Welcome Summer Party at Diane Grimes Park, June 27, 2015 from 6:30 P.M.-8:30 P.M.; the Annual Fishing Contest, sponsored by the Henderson Family will be held at Zaccaria Park on June 27, 2015 and lastly the Summer Concerts are scheduled for July and August.

Laws & Ordinances – Council President Holloway and his committee have been working on numerous projects which are coming along.

**MUNICIPAL ATTORNEY’S REPORT:**

No report given.

**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.

**Resolution R15-140, a resolution awarding a contract to Alaimo Group, 2 Market Street, Paterson, NJ 07501 in an amount not to exceed \$68,340.00 to provide engineering services to the resurfacing of Highview Drive, Grandview Drive, Valley Drive, Brookview Drive and Sunset Drive as part of the 2015 Road Resurfacing Program and hereby authorizes the Borough Administrator, Kevin Galland, to execute all documents on behalf of the Borough relative to employing the services of Alaimo Group for this work effort.**

**2015 ROAD RESURFACING PROGRAM**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to resurface Highview Drive, Grandview Drive, Valley Drive, Brookview Drive and Sunset Drive as part of the 2015 Road Resurfacing Program; and

**WHEREAS**, the governing body desire to secure the services of an engineering firm to provide engineering design and construction services for this project; and

**WHEREAS**, funds are available from the 2015 Bond Ordinance (15-03) to fund this work effort; and

**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, do hereby award a contract to Alaimo Group, 2 Market Street, Paterson, NJ 07501 in an amount not to exceed \$68,340.00 to provide the described engineering services for the resurfacing of Highview Drive, Grandview Drive, Valley Drive, Brookview Drive and Sunset Drive as part of the 2015 Road Resurfacing Program, and

**BE IT FURTHER RESOLVED** that the governing body hereby authorizes the Borough Administrator, Kevin Galland, to execute all documents on behalf of the Borough relative to employing the services of the Alaimo Group for this work effort.

**Resolution R15-141, a resolution approving the Application for Soil Permit from Nicholas Marino for the Notchwood Commons Project, relative to the excavation of soil from Block 125, Lot 1, commonly referred to as 590-608 Lackawanna Avenue, located in the Borough of Woodland Park subject to the conditions set forth by the Woodland Park Planning Board.**

**SOIL REMOVAL PERMIT  
APPROVAL – NOTCHWOOD COMMONS**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of an Application For Soil Permit from Nicholas Marino for the Notchwood Commons Project, relative to the excavation of soil from Block 125, Lot 1, commonly referred to as 590-608 Lackawanna Avenue, located in the Borough of Woodland Park; and

**WHEREAS**, said application has been reviewed by the Superintendent of Public Works, the Borough Engineer; and the Borough Administrator, and they have determined that the application is complete and in compliance with all applicable Borough Ordinances; and

**WHEREAS**, the Application was forwarded to the Woodland Park Planning Board and that Board has recommended that the application be approved by the Mayor and Council with the condition that the volume calculations and truck route are further reviewed by the Borough Engineer and the Superintendent of Public Works;

**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, do hereby approve the Application For Soil Permit from Nicholas Marino for the Notchwood Commons Project, relative to the excavation of soil from Block 125, Lot 1, commonly referred to as 590-608 Lackawanna Avenue, located in the Borough of Woodland Park subject to the conditions set forth by the Woodland Park Planning Board.

**Resolution R15-142, a resolution authorizing the West Paterson Boys and Girls Club Football Program to hold a Carnival from Wednesday, July 8, 2015 to Saturday, July 11, 2015 and to also hold one On Premise 50/50 Raffle both to be held at the West Paterson Boys and Girls Club, 8 Memorial Drive, Woodland Park, New Jersey, on said days and said raffle to be drawn at 9:00 P.M.**

**RESOLUTION AUTHORIZING WEST PATERSON  
BOYS AND GIRLS CLUB FOOTBALL PROGRAM  
TO HOLD A CARNIVAL AND RAFFLE**

**WHEREAS**, the Mayor and Council are in receipt of a request from Scott R. Nayda Sr. on behalf of the West Paterson Boys and Girls Club Football Program, requesting permission to hold a Carnival at the West Paterson Boys and Girls Club, 8 Memorial Drive, Woodland Park, New Jersey from Wednesday July 8, 2015 to Saturday, July 11, 2015 from 5:00 P.M. to 9:00 P.M. on Wednesday and Thursday and from 5:00 P.M. to 10:00 P.M. on Friday and from 3:00 P.M. to 10:00 P.M. on Saturday; and

**WHEREAS**, West Paterson Boys Club Inc., Woodland Park, N.J. 07424, is also seeking approval to conduct an On Premise 50/50 Raffle on said days to be drawn at 9:00 P.M.; and

**WHEREAS**, the applicant has filed an application with Legalized Games of Chance under the state of New Jersey; Regulations (N.J.A.C.13:47-6.4) as well as the Municipal Clerk's office of the Borough of Woodland Park; and

**WHEREAS**, notification for recommendation has been sent to the Woodland Park Fire Department, Department of Public Works and the Police Department, Chief Anthony Galietti and recommendations are as follows:

1. Minimum of 3 Police Officers for security;
2. Memorial drive to be closed on Monday, July 6, 2015 and re-opened on Monday, July 13, 2015 at 7:00 A.M. to allow for set up and break down time;
3. Notification should be made to the residents on Memorial Drive regarding

- street closure and event information;  
4. Use of proper road closing devices; and

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey does hereby give authorization to the West Paterson Boys Club Inc., to hold a Carnival and one On Premise 50/50 Raffle to be held from Wednesday, July 8, 2015 to Saturday, July 11, 2015 at the West Paterson Boys and Girls Club, 8 Memorial Drive, Woodland Park, New Jersey.

**Resolution R15-143, a resolution authorizing the Tax Collector to return the total of \$3,044.53 for the redemption payment of the lien and premium to US Bank Cust for PC5 Sterling NA, 50 South 16<sup>th</sup> Street, Suite 2050, Philadelphia, PA 19102 and that the books and records of the Tax Collector be adjusted accordingly.**

### **LIEN REDEMPTION AND PREMIUM**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic and State of New Jersey have been informed by the Tax Collector of the Borough of Woodland Park that a lien redemption for taxes, in the amount of \$2,144.53 was made on May 28, 2015; and

**WHEREAS**, the redemption certificate has been received in the Tax Office and, therefore, the amount of \$2,144.53 is to be returned to the lien holder, US Bank Cust for PC5 Sterling NA, 50 South 16<sup>th</sup> St. Suite 2050, Philadelphia, PA 19102; and

**WHEREAS**, the Tax Collector of the Borough of Woodland Park has requested a lien redemption of said payment to be made to US Bank for PC5 Sterling NA; and

**WHEREAS**, a premium of \$900.00 had also been made by US Bank for PC5 Sterling NA which is to be returned;

**NOW, THEREFORE, BE IT RESOLVED** that the Tax Collector is hereby authorized to return the total of \$3,044.53 for the redemption payment of the lien and premium; and

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

**Resolution R15-144, a resolution of the Mayor and Council agreeing to comply with the provisions of the Internal Revenue Code of 1986, as amended, applicable to the exclusion from Gross Income for Federal Income Tax purposes of interest on obligations issued by the Borough of Woodland Park and Authorizing the Mayor, Municipal Clerk and Chief Financial Officer to take such action as they may deem necessary or advisable to effect such compliance.**

### **RESOLUTION COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986**

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF WOODLAND PARK, IN THE COUNTY OF PASSAIC, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF WOODLAND PARK AND AUTHORIZING THE MAYOR, MUNICIPAL CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$7,789,027 OF NOTES, CONSISTING OF \$7,089,027 GENERAL BOND ANTICIPATION NOTES AND \$700,000 WATER

UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED JUNE 5, 2015 AND PAYABLE JUNE 3, 2016, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

-----

WHEREAS, the Borough of Woodland Park, in the County of Passaic, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue \$7,789,027 of Notes, consisting of \$7,089,027 General Bond Anticipation Notes and \$700,000 Water Utility Bond Anticipation Notes, both issues dated June 5, 2015 and payable June 3, 2016 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b) (3) of the Code;

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

SECTION 1. The Municipal Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Notes be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Municipal Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b) (3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2015.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2015 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

Member \_\_\_\_\_ introduced and moved the adoption of the following resolution and Member \_\_\_\_\_ seconded the motion:

The foregoing resolution was adopted by the following roll call vote:

**Resolution R15-145, a resolution authorizing the Tax/Water Collector of the Borough of Woodland Park to credit the account of Tower Ridge Development in the amount of \$6,280.12 together with the interest fee of \$50.88 for a total amount of \$6,331.00 for the overcharge of water from 2013 through 2015.**

### **OVERCHARGE OF WATER**

**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/Water Collector of the Borough of Woodland Park that an overcharge of water, in the amount of \$6,280.12, was made in 2013 through 2015 by Tower Ridge Development; and

**WHEREAS,** Tower Ridge Development has requested that this overpayment be credited to account no. 607494-1; and

**WHEREAS,** the Tax/Water Collector of the Borough of Woodland Park has requested a credit of said overpayment be made to Tower Ridge Development account no. 607494-1 ; and

**NOW, THEREFORE, BE IT RESOLVED** that the Tax/Water Collector be and is hereby authorized to credit the account of Tower Ridge Development in the amount of \$6,280.12 together with the interest fee of \$50.88 to Tower Ridge Development for the overcharge of water; and

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

**Resolution R15-146 a resolution to approve the actions noted in the Consent Agenda, item A. through F., 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 F., be and are hereby approved and the proper officers are directed to take necessary action on same.

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

Mayor Kazmark added a few comments. Item B., the Soil Application Permit was modified not due to the fee but to the amount of soil being removed.

Also, item F., an agreement was reached and a water credit will be issued to avoid a refund of payment.

**COLLECTOR/TREASURER REPORT:**

CFO, Frederick J. Tompkins recommends authorization for payment:

Upon Motion made by Councilman Decesare, seconded by Councilwoman Pascrell and unanimously passed on roll call vote, the Council confirmed the payment of the 6/15/15 and regular and miscellaneous payroll estimated at \$310,000.00.

Upon Motion made by Councilman Holloway, seconded by Councilwoman Gatti and unanimously passed on roll call vote, the Council confirmed the payment of bills from voucher list of 5/29/2015 totaling \$454,617.79

**DEPARTMENT REPORTS:**

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

There being no further business to come before the Council, upon Motion by Councilman Decesare, seconded by Council President Kallert and unanimously passed on roll call vote, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

---

Kevin V. Galland  
Municipal Clerk

---

Keith Kazmark  
Mayor