

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
NOVEMBER 25, 2009**

1. In accordance with the Open Public Meeting Law, P.L.1975, chapter 231, notice requirements for this meeting have been set forth in the resolution adopted by the Municipal Council at its Reorganization Meeting of January 7, 2009 detailing the time and place, with notice given to the public by posting a copy on the bulletin board in the Municipal Building, transmitting copies to the Herald News and The Record of Woodland Park.
2. **Flag salute and Prayer**
3. **Roll Call**
4. **Presentations:**

West Paterson Fire Department Awards to School Children
Presentation of Certificates to Soccer Teams
5. **Public Hearing:**
6. **Approval of Minutes from the Regular Meeting of November 4, 2009.**
7. **Committee Reports:**
 - A. Administration & Finance – Councilwoman Pascrell
 - B. Buildings & Grounds/Public Works – Councilwoman Gatti
 - C. Public Safety – Councilwoman Patterson
 - D. Health & Senior Services – Councilman Kazmark
 - E. Recreation & Community Relations – Councilman Spinelli
 - F. Laws & Ordinances – Council President DiDomenico
8. **Mayor’s Report:**
9. **Municipal Attorney’s Report:**
10. **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 this Governing Body, and if so removed, will be acted upon as a separate matter.

- A. **Resolution 09-302, a resolution authorizing DePaul Catholic High School Parents' Association, 1512 Alps Road, Wayne, New Jersey to conduct a Tricky Tray, an Off-Premise Merchandise Raffle and an On-Premise 50/50 Raffle on March 24, 2010 at the Westmount Country Club, 728 Rifle Camp Road, Woodland Park, New Jersey between the hours of 5:00 p.m. and 10:00 p.m.**
- B. **Resolution 09-303, a resolution by the Mayor and Council awarding a contract to AJM Construction, 300 Kuller Road, Clifton, New Jersey in the amount of \$115,426.00 for the base repairs to the streets listed in this resolution as part of the 2009 Road Resurfacing Program – Phase II.**
- C. **Resolution 09-304, a resolution canceling unexpended balances of the Water Utility Fund and transferring same to surplus totaling \$40,000.00.**
- D. **Resolution 09-305, a resolution awarding a contract to Advanced Recycling, Inc. 61 Buff Lane, Hillsdale, NJ, in an amount not to exceed of \$660,000.00 (\$11,000.00/month), for a five (5) year contract starting January 1, 2010 and ending on December 31, 2014, for the collection, transportation and disposal of all recyclable materials collected within the Borough including (1) commingled recyclable materials, (2) newspapers and corrugated cardboard, (3) brush and grass clippings and (4) leaves in compliance with the bid specifications contained in Bid #09-09.**
- E. **Resolution 09-306, 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.**

11. Collector/Treasurer Report:

CFO, Frederick J. Tomkins recommends authorization for payment:

- 1. Authorize payment of the 12/15/09 and 12/30/09 regular and miscellaneous payrolls estimated at \$190,000.00 each.
- 2. Payment of bills from voucher list of 11/20/09 totaling \$670,585.22.

12. Department Reports:

- 1. Police Report for October, 2009.
- 2. Library Report for October 19, 2009.
- 3. Senior Bus Usage Report for October, 2009.
- 4. Planning Board Minutes for October 5, 2009.
- 5. Finance Department - Summary Budget Status Report for November 20, 2009.

13. Old Business:

- 1. **Public Hearing on Ordinance No. 09-16, an Ordinance Authorizing an Emergency Appropriation N.J.S. 40A:4-53.**

2. Resolution R09-299, Adoption of Ordinance 09-16 by the Mayor and Council.

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey desires to adopt an ordinance authorizing an emergency appropriation pursuant to N.J.S. 40A:4-53; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated November 14, 2009, setting the date of November 25, 2009 for the public hearing and consideration for final passage; and

WHEREAS, a copy of the ordinance was posted on the Borough's official bulletin board and copies were 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 25, 2009 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled Ordinance 09-16 an ordinance authorizing an emergency appropriation N.J.S. 40A:4-53 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 Ordinances according to law.

ORDINANCE NO. 09-16

**AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION
N.J.S.A 40A:4-53**

BE IT ORDAINED by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that pursuant to N.J.S. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$225,000 is hereby appropriated for the engagement of special consultants for Revaluation of Real Property and Shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

BE IT FURTHER ORDAINED that this ordinance shall take effect at the time and in the manner provided by law.

3. Resolution R09-300, a resolution authorizing a special emergency appropriation.

WHEREAS, an ordinance has been adopted creating a special emergency appropriation of \$225,000 for Revaluation of Real Property and no adequate provision was made in the 2009 budget for the aforesaid purpose, and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of Emergency Appropriations created including the appropriation to be created by this resolution is.....\$225,000

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48 and 40A:4-53:

1. A special emergency appropriation be and the same is hereby made for Revaluation of Real Property.....\$225,000
2. Total amount per ordinance is for \$225,000 and the Mayor and Council hereby requests that an exclusion from the 5% "Cap" be granted by the Director of the Division of Local Government Services in accordance with P.L. 1981 Chapter 56 in the amount of \$45,000 per year in the budgets of the next five succeeding years commencing with the budgets of 2010 in accordance with 40A:4-55 (C).
3. That a special emergency note or notes be authorized not in excess of \$225,000, the amount appropriated by ordinance as stated above.
4. Such notes are hereby authorized to be issued pursuant to the Ordinance and this resolution and shall be negotiable notes payable to bearer, and shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and such interest shall be payable at the maturity of such notes. The notes shall be dated on or about the date of their issuance and may be renewed from time to time, but at least 1/5 of the total amount of notes hereby authorized, and the renewals thereof, shall mature and be paid in each year, so that all notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution. The issuing officers are authorized to provide that the notes may be redeemable at the option of the Borough.
5. The Mayor and the Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.
6. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.
7. The Borough Council hereby designates the Special Emergency Notes as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). It is hereby determined and stated that the Special Emergency Notes (1) 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 \$30 million of tax-exempt obligations (other than private activity

bonds) during the calendar year 2009. 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, the Borough does not covenant to do so, and expressly states that a covenant is not made hereby.

8. That three certified copies of this resolution be filed with the Director of the Division of Local Government Services.
9. This resolution shall take effect immediately upon its adoption.

14. New Business:

15. Adjournment

**Kevin V. Galland
Municipal Clerk**