

**WOODLAND PARK MUNICIPAL COUNCIL  
AGENDA FOR REGULAR MEETING OF  
JUNE 15, 2011**

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 5, 2011 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:**

**Certificate to Ben Fazio for being the first Special Olympics athlete to complete the Long Branch Half Marathon 13.1 mile run.**

5. **Public Hearing:**

6. **Approval of Minutes from the Regular Meeting of June 1, 2011.**

7. **Committee Reports:**

A. Administration & Finance – Councilwoman Pascrell

B. Buildings & Grounds/Public Works – Councilwoman Gatti

C. Public Safety – Councilman DiDomenico

D. Health & Senior Services – Councilman Holloway

E. Recreation & Community Relations – Council President Spinelli

F. Laws & Ordinances – Councilman Vargas

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 R11-158 a resolution authorizing the Municipal Clerk of the Borough of Woodland Park to issue the appropriate Plenary Retail Consumption and Plenary Retail Distribution license to the licensee as set forth and approved by this resolution.**
- B. Resolution R11-160, a resolution authorizing the purchase of six (6) DoorDams and one (1) Hydrolog, along with associated brackets, braces and compression clips to be installed in front of all of the doors at the Boys and Girls Club, Memorial Drive, to provide flood protection for the building. Said purchase shall be funded through the Borough's Open Space Trust Account in an amount not to exceed \$10,000.00.**
- C. Resolution R11-162, a resolution authorizing the purchase of one vehicle from Route 23 Automall LLC, 1301 Route 23 South, Butler, NJ 07405 in an amount not to exceed of \$26,500.00.**
- D. Resolution R11-164, a resolution authorizing the use of Zaccaria Park to Anthony Arroyo, 21 Borrego Drive, for a family picnic on June 19, 2011 from 9:30 am. to 4:00 p.m. with approximately fifteen (15) people in attendance.**
- E. Resolution R11-166, a resolution authorizing the Tax Collector of the Borough of Woodland Park to return the total of \$4,904.60 representing a refund for the 2009 taxes, made payable to 365 Tower Ridge Development LLC and forwarded to the law offices of Stern & Kilcullen on behalf of 365 Tower Ridge Development LLC and to adjust the books and records accordingly.**
- F. Resolution R11-167, a resolution authorizing the use of Zaccaria Park to West Paterson Soccer Association, 57 Grandview Drive, for a barbeque and awards ceremony on June 30, 2011 from 4:30 pm. to 9:00 p.m. with approximately seventy-five to one hundred (75-100) people in attendance.**
- G. Resolution R11-168, a resolution awarding a contract to SCS Contracting, 87 Shadyside Road, Ramsey, New Jersey in an amount not to exceed \$152,090.00 (including Alternate 1) for the construction of a bike path in the Morris Canal in total compliance with the specifications and requirements listed in Bid #11-01-01.**
- H. Resolution R11-169, a resolution authorizing the use of Zaccaria Park to Beyhan Bulur, 14 Eagle Avenue, Paterson, New Jersey for a birthday party on July 3, 2011 at 2:00 p.m. with approximately fifty (50) people in attendance.**
- I. Resolution R11-170, a resolution to approve the actions noted in the Consent Agenda, items A. through H., 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:

Payment of bills from voucher list of 06/10/11 totaling \$1,944,812.35.

**12. Department Reports:**

1. Police Report for May, 2011.
2. Fire Prevention Report for May, 2011.
3. Library Annual Report for 2010.
4. Senior Bus Usage Report for May, 2011.
5. Planning Board Minutes for May 9, 2011.
6. Planning Board Resolutions.
7. Animal Control Report for May.
8. Finance Department - Summary Budget Status Report for June 9, 2011.

**13. Old Business:**

**14. New Business:**

**1. Resolution R11-161**

**WHEREAS**, Notchwood Partners, LP, (hereinafter referred to as the “Sponsor”) proposes to construct a 50 unit age-restricted (55+) housing project which will include 10 units of non age-restricted housing for the developmentally disabled consistent with the Federal Fair Housing Law (hereinafter referred to as the “project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq., and all applicable guidelines promulgated thereunder (the foregoing hereinafter collectively referred to as the “HMFA Requirements”) within the Borough of Woodland Park (hereinafter referred to as the “Municipality”) on a site described as Lot 1, Block 125 as shown on the Official Assessment

Map of the Borough of Woodland Park, Passaic County and commonly known as Notchwood Manor Apartments, Lower Notch Road, Woodland Park, New Jersey; and

**WHEREAS**, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

**WHEREAS**, the Project will be subject to requirements of the New Jersey Department of Community Affairs (hereinafter referred to as the “Department of Community Affairs”), Neighborhood Preservation Balanced Housing Program in accordance with N.J.S.A. 52:27D-320 and applicable rules promulgated thereunder at N.J.A.C. 5:43-1.1 et seq., and the mortgage and other loan documents executed between the Sponsor and the Commissioner of the Department of Community Affairs; and

**WHEREAS**, pursuant to the HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodland Park (the “Council”) that:

1. The Council finds and determines that the Notchwood apartments Project proposed by the Sponsor meets or will meet an existing housing need;

2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor's application for Agency funding to finance the Project.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. It shall not be necessary in making proof of this Agreement to produce or account for more than a sufficient number of counterparts to evidence the execution of this Agreement by each party hereto.

## **2. Resolution R11-163**

**WHEREAS**, Notchwood Partners, LP (hereinafter referred to as the "Sponsor") proposes to construct a housing project (hereinafter referred to as the "Project") pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14k-1 et seq.) and the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq. (foregoing hereinafter referred to as "HMFA Law") within the Borough of Woodland Park (hereinafter referred to as the "Municipality") on a site described as Lot 1, Block 125 as shown on the Final Plan, Passaic County, NJ and commonly known as Notchwood Manor Apartments; and

**WHEREAS**, the Project will be subject to the HMFA Law and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the "Agency"); and

**WHEREAS**, pursuant to the provisions of the HMFA Law, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality; and

**WHEREAS**, the Sponsor has presented to the Municipal Council a revenue projection for the Project which sets forth the anticipated revenue to be received by the sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Woodland Park (the "Council") that:

1. The Council finds and determines that the proposed Project will meet or meets an existing housing need and was approved in order to advance the economic, housing and social needs of the neighborhood and the Municipality;
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
3. The Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt fro real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for Municipal services supplied to the Project are made to the Municipality in such amounts and manner

set forth in the Agreement for Payments in Lieu of Taxes for municipal services supplied to the Project are made to the Municipality in such amounts and manner set forth in the Agreement for payments in Lieu of Taxes attached hereto as Exhibit "B"; and

4. The council hereby authorizes and directs the Mayor of the Borough of Woodland Park to execute, on behalf of the Municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "B"; and
5. The Council understands and agrees that the revenue projections set forth in Exhibit "A" are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and the Municipality.

**3. Resolution R11-146, a resolution introducing Ordinance No. 11-10.**

**BE IT RESOLVED** that ordinance 11-10 entitled: **AN ORDINANCE TO AMEND CHAPTER II OF THE ORDINANCES OF THE BOROUGH OF WOODLAND PARK, WHICH IS ALSO KNOWN AS "ADMINISTRATION", TO DESIGNATE THE POSITION OF PURCHASING AGENT.**

**4. Resolution R11-159, a resolution introducing Ordinance No. 11-11.**

**BE IT RESOLVED** that ordinance 11-11 entitled: **AN ORDINANCE WHICH SUPERSEDES ORDINANCE NO. 10-08 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 2011.**

**5. Resolution R11-165, a resolution introducing Ordinance No. 11-12**

**BE IT RESOLVED;** that the ordinance entitled: **AN ORDINANCE MAKING THE PROVISIONS OF NEW JERSEY STATUTES ANNOTATED 40A:9-12.1(g) APPLICABLE TO THE BOROUGH OF WOODLAND PARK IN ORDER TO CONTROL AND MAINTAIN THE ATTENDANCE OF ALL PUBLIC OFFICIALS AT PUBLIC MEETINGS HELD BY THE BOROUGH** heretofore introduced, do now pass on first reading, and that said ordinances be further considered for final passage at a meeting to be held on the 20<sup>th</sup> day of July, 2011, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinances, and that the Municipal Clerk is hereby authorized and directed to publish said ordinances according to law with a notice of their introduction and passage on first reading and of the time and place when and where said ordinances will be further considered for final passage.

**15. 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:

- o 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.

**16. Adjournment**

**Kevin V. Galland  
Municipal Clerk**