

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
FEBRUARY 20, 2013**

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 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, transmitting copies to the Herald News and The Record of Woodland Park.

2. **Flag salute and Prayer**

3. **Roll Call**

4. **Presentations:**

**Reappointment – Judge Toni Belford Damiano 2/21/13 – 2/20/16
Proclamation – Read Across America**

5. **Public Hearing:**

6. **Approval of Minutes from the Regular Meeting of February 6, 2013.
Approval of Minutes from the Executive Session of February 6, 2013.**

7. **Mayor’s Report:**

8. **Committee Reports:**

- A. Administration & Finance – Councilwoman Gatti
- B. Public Works – Councilman Spinelli
- C. Public Safety – Councilman DeCesare
- D. Health & Senior Services – Councilwoman Kallert
- E. Recreation & Community Relations – Councilwoman Pascrell
- F. Laws & Ordinances – Council President Holloway

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 R13-71, a resolution authorizing the use of funds from the 2012 Bond Ordinance to pay construction and engineering expenses for the reconstruction of Pitts Avenue, Winslow Place, Morley Drive and Willow Way.**
- B. Resolution R13-72, a resolution exercising the option period, April 15, 2013 through April 14, 2014 with Municipal Inspection Corporation, 183 W. 4th Street, Bayonne, NJ 07002, to serve as the Borough's Elevator Subcode Official, in an amount not to exceed of \$36,000.00 in the aggregate for the twenty-four (24) month period.**
- C. Resolution R13-73, a resolution awarding a contract to Daskal LLC, 21 Stevens Road, Wallington, New Jersey for the provision and installation of fencing at Memorial Field in an amount not to exceed \$38,000.00.**
- D. Resolution R13-75, a resolution directing the appropriate administration staff to refund the amount of \$1,000.00 to Sprint-Nextel, 1 Garret Mountain Plaza, Woodland Park, New Jersey representing the balance of their escrow account associated with a Board of Adjustment application.**
- E. Resolution R13-76, a resolution authorizing the Tax Collector of the Borough of Woodland Park to refund the total of \$1,183.49 for the overpayment of taxes to Chase, 3415 Vision Drive, Columbus, Ohio with reference to Block 85, Lot 5, Qualifier C0203 and to adjust the books and records accordingly.**
- F. Resolution R13-77, a resolution approving the application of Daniel Kausner, d/b/a, Danny K's Celebrity Limousine Services, 279 Browertown Road, Woodland Park, based on the recommendation of Felix Esposito, Construction Code Official.**
- G. Resolution R13-79, a resolution authorizing the West Paterson Boys & Girls Club to utilize the Borough's and Board of Education's recreational fields including Diane Grimes Field, Zaccaria Park Field, School #1 and Memorial Fields for the time period January 1, 2013 through December 31, 2013, to the West Paterson Boys and Girls Club, subject to the conditions set forth in this resolution.**
- H. Resolution R13-80, a resolution awarding a contract to Masters Construction Co., Inc., P.O. Box 402, Hopewell, New Jersey to assemble and install six (6) portable bleachers and six (6) in-ground mount player benches in an amount not to exceed \$18,600.00 to be funded by the Woodland Park Open Space Trust Fund Account.**
- I. Resolution R13-81, a resolution authorizing the use of the Sam Yodice, Sr. Field, Pridmore Field, Belford Field and Diane Grimes Field by the Tri Boro Sting Organization subject to the conditions set forth in this resolution.**
- J. Resolution R13-82, a resolution authorizing the use of Memorial Field, Diane Grimes Field and Zaccaria Park Field by the West Paterson Soccer Association subject to the conditions set forth in this resolution.**

- K. Resolution R13-84, a resolution amending the contract with AJM Contractors, Inc. to include Change Order #3 in the amount of \$19,199.83, relative to the Mt. Pleasant Avenue area road improvements.**
- L. Resolution R13-85, a resolution authorizing the Chief Financial Officer of the Borough of Woodland Park to make budget transfers as outlined in this resolution.**
- M. Resolution R13-86, a resolution approving an increase in the Temporary Budget for a grand total of \$6,404,920.00.**
- N. Resolution R13-87, a resolution to approve the actions noted in the Consent Agenda, items A. through M., 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:

Authorize payment of the 02/30/13 regular and miscellaneous payroll estimated at \$230,000.00.

Payment of bills from voucher list of 02/15/13 totaling \$2,061,589.06

12. Department Reports:

- 1. Police Report for January, 2013
- 2. Library Report for February 11, 2013
- 3. Planning Board Reorganization Minutes for January 14, 2013
- 4. Animal Control Report for January, 2013.
- 5. Summary Budget Status Report for 02/15/13

13. New Business:

Resolution R13-83 – Temporary Capital Budget

WHEREAS, the Borough of Woodland Park desires to establish the 2013 Temporary Capital Budget of said municipality by inserting therein the project listed below.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Woodland Park as follows:

Section 1. The 2013 Temporary Capital Budget of the Borough of Woodland Park is hereby established by the adoption of the schedule to read as follows:

Temporary Capital Budget of the
Borough of Woodland Park
County of Passaic, New Jersey
Projects Scheduled for 2013
Method of Financing

<u>Project</u>	<u>Est. Costs</u>	<u>Grants</u>	<u>Budget Appr. Fund</u>	<u>Capital Imp. Fund</u>	<u>Bonds</u>	<u>Self-Liquidating Bonds</u>
Replacement of a Portion of McBride Ave Sanitary Sewer	3,000,000			150,000	2,850,000	

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2013 Temporary Capital Budget, to be included in the 2013 Permanent Capital Budget as adopted.

14. Old Business:

A. Resolution R13-68, Adoption of Bond Ordinance 13-01

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desires to adopt an ordinance to authorize the replacement of a portion of the McBride Avenue sanitary sewer force main (located in the city of Paterson) by and for the Borough of Woodland Park, in the County of Passaic, State of New Jersey, to appropriate the sum of \$3,000,000.00 to pay the cost thereof, to make a down payment to authorize the issuance of Bonds to finance such appropriation and to provide for the issuance of Bond Anticipation Notes in anticipation of the issuance of such Bonds; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park desires to adopt said ordinance to appropriate the sum of \$3,000,000.00 to pay the cost thereof, to make a down payment, to authorize the issuance of bonds to finance such appropriation and to provide for the issuance of bond anticipation notes in anticipation of the issuance of such bonds; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated February 9, 2013, setting the date of February 20, 2013 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 February 20, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled Ordinance 13-01 an ordinance to authorize the replacement of a portion of the McBride Avenue sanitary sewer force main (located in the city of Paterson) by and for the Borough of Woodland Park, in the County of Passaic, State of New Jersey, to appropriate the sum of \$3,000,000.00 to pay the cost thereof, to make a down payment to authorize the issuance of Bonds to finance such appropriation and to provide for the issuance of Bond Anticipation Notes in anticipation of the issuance of such Bonds 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.

B. Resolution R13-69, Adoption of Ordinance 13-02

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled an Ordinance to Amend Chapter VII of the Ordinances of the Borough of Woodland Park, which is also known as the “Traffic Ordinance” to Prohibit Parking

on West 35th Street, from the Northwest Corner on the Intersection of McBride Avenue for a Distance of 68 Feet Toward Newby Avenue; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated February 9, 2013, setting the date of February 20, 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 February 20, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an Ordinance to Amend Chapter VII of the Ordinances of the Borough of Woodland Park, which is also known as the “Traffic Ordinance” to Prohibit Parking on West 35th Street, from the Northwest Corner on the Intersection of McBride Avenue for a Distance of 68 Feet Toward Newby Avenue 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.

C. Resolution R13-70, Adoption of Ordinance 13-03

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled an Ordinance to Amend Chapter XXXII of the Ordinances of the Borough of Woodland Park, which is also known as “Land Use Procedures” to Require Punctual Payment of Real Estate Taxes and Proof Thereof, with Submission of Application to the Planning Board or Zoning Board of Adjustment; and

WHEREAS, notice of introduction and passage on first reading was published in The Herald News dated February 9, 2013, setting the date of February 20, 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 February 20, 2013 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled an Ordinance to Amend Chapter XXXII of the Ordinances of the Borough of Woodland Park, which is also known as “Land Use Procedures” to Require Punctual Payment of Real Estate Taxes and Proof Thereof, with Submission of Application to the Planning Board or Zoning Board of Adjustment 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.

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:

- Litigation – Angel Jet Services LLC v. Borough of Woodland Park
- Litigation – NJDEP v. Occidental
- Litigation – The Estate of Robert Reda v. Borough of Woodland Park
- Litigation – McDuffie v. Borough of Woodland Park
- Personnel – Employee Matter – Retention of Giblin & Giblin, Esqs.

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 confidentially and if not then legally privileged.

16. Adjournment

Kevin V. Galland
Municipal Clerk