

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
May 5, 2021**

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 6, 2021 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. **Presentation:**
 - **Carlo Renne Retirement**
 - **Mental Health Awareness Month**
 - **Promotions to Sergeant Sean Morrison & Leonard Schaefer**
5. **Discussion: 2021 Municipal Budget**
6. **Introduction of 2021 Budget:**
 - A. **Resolution R20-129, a resolution to introduce Ordinance 21-11, an Ordinance to exceed the Municipal Budget appropriation limits and to establish a cap bank for the calendar year 2021.**

RESOLUTION R21-129

CALENDAR YEAR 2021

BOROUGH ORDINANCE 21-11

**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 1.0% 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 2021 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 2.5% increase in the budget for said year, amounting to \$361353.90 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 2021 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 3.5%, amounting to \$505,895.46, and that the CY 2021 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.

B. Resolution R21-130, a resolution authorizing an increase in deferred school taxes for the local and regional high school.

RESOLUTION R21-130

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, 2020 as follows:

	<u>Deferred Local School Taxes</u>	<u>Deferred Regional High School Taxes</u>
Amount Deferred 12/31/2019	\$8,571,650.28	\$4,227,601.00
Amount Deferred 12/31/2020	\$8,829,779.82	\$4,245,554.00

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.

C. Resolution R21-131, a resolution to anticipate miscellaneous revenues in the 2021 Budget using the three-year average of realized revenues from the prior three years.

RESOLUTION R21-131

RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS

WHEREAS, the COVID 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current and utility fund budgets; and

WHEREAS, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget, and, if necessary, in future years and

WHEREAS, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

WHEREAS, the Chief Financial Officer of the Borough of Woodland Park, certifies that the following revenues were affected in 2020 by the COVID 19 pandemic and that the 3 year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021;

<u>Revenue Category</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Average</u>
Municipal Court	239,854.00	239,119.00	152,276.00	210,416.00
Licenses-Other	16,111.00	41,615.00	5,011.00	20,912.00

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park in the County of Passaic, State of New Jersey that the above referenced revenues be anticipated using the 3 year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74.

D. Resolution R21-132 to cancel over appropriation of \$122,841 and \$205,000 included in the COVID-19 Special Emergency.

RESOLUTION R21-132

**SPECIAL EMERGENCY RESOLUTION AND ORDINANCE
RELATED COVID-19 REVENUE LOSSES FOR CURRENT FUND
AND WATER UTILITY FUND**

WHEREAS, the Borough of Woodland Park adopted a Special Emergency Resolution and Ordinance related to COVID-19 revenue losses for \$380,000 for Current Fund and \$205,000 for the Water Utility Fund; and

WHEREAS, the actual amount required was \$257,159 for the Current Fund and 0 for the Water Utility Fund; and

WHEREAS, the difference of \$122,841 and \$205,000 must be cancelled.

NOW THEREFORE BE IT RESOLVED, that the over appropriation of \$122,841 and \$205,000 included in the COVID-19 Special Emergency is hereby cancelled as follows:

	<u>Realized 2019</u>	<u>Realized 2020</u>	<u>Shortfall</u>
Municipal Court	\$238,119	\$152,276	\$(85,843)
Fees & Permits	44,083	5,011	(39,072)
Construction Code Fees	365,904	308,934	(56,970)
Uniform Fire Safety	58,540	53,274	(5,266)
Interest on Investments	72,411	23,757	(48,654)
School Resource Officer	92,550	71,196	<u>(21,354)</u>
			257,159
			<u>Original Special Emergency</u>
			<u>380,000</u>
			<u>Cancellation</u>
			<u>\$122,841</u>
Water Rents	2,247,170	2,246,286	<u>\$(884)</u>
			<u>Original Special Emergency</u>
			<u>205,000</u>
			<u>Cancellation</u>
			<u>\$205,000</u>

E. Resolution R21-133, a resolution providing for increase in reserve for uncollected taxes percentage.

RESOLUTION R21-133

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

WHEREAS, the Borough of Woodland Park collected only 98.00% of the 2020 taxes due to an increase in taxpayers being delinquent as a result of unfavorable economic conditions in the local economy and the Pandemic for 2020 and

WHEREAS, the Borough of Woodland Park’s average collection percentage for the prior 3 years is 98.76%, as calculated below, and

	<u>Collection Percentage</u>
2020	98.00
2019	99.11
2018	<u>99.18</u>
Total	<u>296.29</u>
3-Year Average	98.76%

WHEREAS, the lower percentage collected in 2020 has an effect on the "Reserve for Uncollected Taxes" in 2021, and

WHEREAS, the Governing Body desires to anticipate 98.66% collection for 2021, 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 Fort Lee, County of Bergen, State of New Jersey, that the prior written consent of the Director of Local Government Services be requested to anticipate 98.66% collection of taxes in 2021 in figuring the "Reserve for Uncollected Taxes".

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Office of the Director of Local Government Services.

F. Resolution R21-134, a resolution to introduce 2021 Municipal Budget.

RESOLUTION R21-134

INTRODUCTION OF 2021 BUDGET

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021;

Appropriations within cap	\$15,080,270.00
Appropriations excluded from cap	\$ 3,970,554.71
Reserve for uncollected taxes	\$ 734,000.00
Total General Appropriations	\$19,784,824.71
Anticipated Revenues	\$ 4,844,197.71
Amount to be raised by taxation	\$14,310,743.00
Minimum Library Tax	\$ 629,884.00
Total Revenue	\$19,784,824.71

BE IT FURTHER RESOLVED that said Budget be published in the North Jersey Herald News in the issue of May 12, 2021.

The Governing Body of the Borough of Woodland Park does hereby approve the following as the Budget for the year 2021.

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Woodland Park, County of Passaic, on May 5, 2021.

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, 5 Brophy Lane, Woodland Park, a previously identified and approved (Resolution 21-001) regularly scheduled meeting location of the Mayor and Council, on June 2, 2021 at 7:00 pm at which time and place objections to said Budget and Tax Resolution for the year 2021 may be presented by taxpayers or other interested parties.

7. Public Hearing:

8. Approval of Minutes from:

Regular Meeting Minutes of February 17, 2021
Executive Session Minutes of February 17, 2021

9. Committee Reports:

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

F. Laws & Ordinances – Councilman Holloway

10. Mayor's Report:

- **Appointment of Bernadette Lawler as Member Class II – Municipal Official – Planning Board**
- **Appointment of Tracy Kallert as Mayor's Delegate – Library Board**
- **Appointment of Diane Rabiej as a Member of the Municipal Alliance Against Alcoholism & Drug Abuse**

11. Municipal Attorney's Report:

12. Consent Agenda:

All matters listed under the Consent Agenda are considered to be routine by the Council and will be enacted by one resolution. 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 R21-135, a resolution authorizing the award of a contract to Alaimo Group for Design Services for they West 36th Street Streetscape Improvements McBride Avenue to Mary Avenue in an amount not to exceed of \$27,000.00.**
- B. Resolution R21-136, a resolution Appointment of Ronald Arnau as a Member of the Library Board (replacing Steven Dickerson).**
- C. Resolution R21-137, a resolution Appointment of Phyllis Hornstra as a Member of the Board of Adjustment (replacing Reggie Dance).**
- D. Resolution R21-138, a resolution Appointment of Jo-Anne Mitchell as Alternate Member #1 of the Board of Adjustment (replacing Phyllis Hornstra).**
- E. Resolution R21-139, a resolution Appointment of Diane Rabiej as Alternate Member #2 of the Board of Adjustment (replacing Jo-Anne Mitchell).**
- F. Resolution R21-140, a resolution to authorize a refund in the amount of \$2,665.89 for the overpayment of taxes to Joseph C. Petriello Trust Account, 30 Galesi Drive, Wayne, New Jersey.**
- G. Resolution R21-141, a resolution to approve lien redemption and premium authorizing a refund in the amount of \$24,014.26 to be paid to SLS, LLC, 1 Paragon Dr., Suite #252, Montvale, New Jersey.**
- H. Resolution R21-142, a resolution to approve a lien redemption in the amount of \$3,507.36 to be paid to Matthew Bariso, 35 Franklin Avenue, Pompton Plains, New Jersey.**

- I. Resolution R21-143, a resolution for the approval to submit a grant application with the New Jersey Department of Community Affairs for approximately \$95,000.00 for improvements to Diane Grimes Memorial Park.**
- J. Resolution R21-144, a resolution authorizing the Passaic Valley Hose Company #2 to conduct a “Shake-a-Boot” fundraiser from June 4, 2021 through June 5, 2021 with an alternate weekend of June 11, 2021 through June 12, 2021.**
- K. Resolution R21-145, a resolution approving an increase in the Temporary Budget for a grand total of \$10,107,687.00 and Water Budget Appropriations grand total of \$1,003,240.00.**
- L. Resolution R21, 146, a resolution authorizing the award of contract to Alaimo Group, 2 Market Street, Paterson, New Jersey for Construction Supervision Services as to the date of the proposal in an amount not to exceed of \$35,00.00.**
- M. Resolution R21, 147, a resolution based on the recommendation of Chief Paul Salomone, Jr., approving the application of Ariel A. Gomez, Paterson, New Jersey, to become a West Paterson Volunteer Firefighter.**
- N. Resolution R21-148, 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.**

13. Collector/Treasurer Report:

CFO, Heather Barkenbush authorization for payment:

Authorize payment of the 05/15/2021 regular and miscellaneous payroll estimated at \$335,000.00.

Payment of bills from voucher list of 05/05/2021 totaling \$188,309.01.

14. Department Reports:

- 1. Fire Prevention Monthly Report for April 2021
- 2. Planning Board Meeting Minutes for January 11, 2021
- 3. Library Board Meeting Minutes of February 8, 2021
- 4. Library Board Meeting Minutes of March 15, 2021
- 5. Summary Budget Status Report through 04/30/2021
- 6. Millennium Strategies Monthly Report up to April 30, 2021

15. Old Business:

- A. Public Hearing on the Adoption of Ordinance 21-10**

B. Resolution R21-149, a resolution to adopt Ordinance 21-10, which is AN ORDINANCE BY WOODLAND PARK IN PASSAIC COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES TO BE SET FORTH IN SECTION 22-24.19 OF CHAPTER 22 “ZONING” OF THE CODE OF THE BOROUGH OF WOODLAND PARK AND AMENDING SECTION 22-24.18 “SMOKE SHOPS” OF THE CHAPTER 22 “ZONING”

WHEREAS, notice of introduction and passage on first reading was published in the Herald News dated April 27, 2021 setting the date of May 5, 2021 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 May 5, 2021 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that the ordinance entitled **AN ORDINANCE BY WOODLAND PARK IN PASSAIC COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES TO BE SET FORTH IN SECTION 22-24.19 OF CHAPTER 22 “ZONING” OF THE CODE OF THE BOROUGH OF WOODLAND PARK AND AMENDING SECTION 22-24.18 “SMOKE SHOPS” OF THE CHAPTER 22 “ZONING”**

is hereby adopted as having been approved on second and final reading, and the Municipal Clerk is hereby authorized and directed to publish said Ordinance according to law.

16. **New Business:**

17. **Executive Session:**

RESOLUTION RE21-04

**RESOLUTION AUTHORIZING EXECUTIVE SESSION
PURSUANT TO N.J.S.A. 10:4-12**

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:

- **Personnel – Dept. of Public Works**

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.

18. Adjournment:

**Sandra Olivola
Municipal Clerk**