

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
FEBRUARY 2, 2022**

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, 2022 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:**
 - **Darlene Green Borough Planner to present the updated Zoning Map**
5. **Public Hearing:**
6. **Approval of Minutes:**
 - Re-Organization Meeting Minutes of January 5, 2022**
 - Regular Meeting Minutes of January 19, 2022**
7. **Council Comments:**
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. 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 R22-053, a resolution to approve the appropriate administration staff to refund Site Centers, 3300 Enterprise Parkway, Beachwood, OH 44122 their escrow account in the amount of \$11,696.22.**

RESOLUTION R22-053

MOTIONED BY:
SECONDED BY:

RETURN OF ESCROW

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey are in receipt of a request from Site Centers, 3300 Enterprise Parkway, Beachwood, OH 44122 for a refund of their escrow account associated with the Board of Adjustment; and

WHEREAS, the Mayor and Council are in receipt of a recommendation from Allan Burghardt, Code Enforcement Officer, to refund said escrow to Site Centers; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby direct the appropriate administration staff to refund the amount of \$11,696.22 to Site Centers, 3300 Enterprise Parkway, Beachwood, OH 44122.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk

February 2, 2022
 Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available under line item T-13-56-855-000-800 for this refund.

 Heather Barkenbush, CMFO

February 2, 2022
 Dated

I, Allan Burghardt, Building Code Official for the Borough of Woodland Park do hereby request the return of escrow.

 Allan Burghardt, Building Code Official

February 2, 2022
 Dated

- B. Resolution R22-054, a resolution to approve an award of contract to Alaimo Group located at 2 Market Street, Paterson, NJ 07501 for design and construction services for sidewalk improvements for Newby Avenue in an amount not to exceed \$18,000.00.**

RESOLUTION R22-054

MOTIONED BY:
SECONDED BY:

**CONTRACT AWARD FOR DESIGN SERVICES AND CONSTRUCTION
MANAGEMENT SERVICES FOR SIDEWALK IMPROVEMENTS
NEWBY AVENUE**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to award a contract for design services and construction management for sidewalk improvement of Newby Avenues; and

WHEREAS, Alaimo Group has supplied a quotation in the amount of \$18,000.00 to provide such services; and

WHEREAS, sufficient funds are available from account number C-04-21-030-000-920;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey hereby award a contract to Alaimo Group located at 2 Market Street, Paterson, NJ 07501 for design services in the amount of \$10,000.00 and construction management services in the amount of \$8,000.00 for sidewalk improvements for Newby Avenue in an amount not to exceed \$18,000.00.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

February 2, 2022

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available for this award of contract.

Heather Barkenbush, CMFO

February 2, 2022

Dated

- C. **Resolution R22-055, a resolution to award a contract to Edmunds GovTech, 301 Tilton Road, Northfield, NJ 08225 to provide hardware and system software support to the Borough for the calendar year 2022, in an amount not to exceed \$15,847.00.**

RESOLUTION R22-055

MOTIONED BY:
SECONDED BY:

**CONTRACT AWARD
HARDWARE & SOFTWARE MAINTENANCE
EDMUNDS GOVTECH**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey desire to renew the Hardware & System Software Support Agreement with Edmunds GovTech, 301 Tilton Road, Northfield, NJ 08225 for calendar year 2022; and

WHEREAS, the Borough is in receipt of a proposal from Edmunds GovTech in the amount of \$15,847.00 to provide the referenced hardware and system software support;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby awards a contract to Edmunds GovTech, 301 Tilton Road, Northfield, NJ 08225, to provide hardware and system software support to the Borough for the calendar year 2022, in an amount not to exceed \$15,847.00.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute all documents regarding this matter.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022 and sealed before me.

Sandra Olivola, Municipal Clerk

February 2, 2022

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby approve this contract under line items 2-01-20-145-145-100, 2-01-20-130-130-100, 2-01-22-195-195-100 and 2-05-55-502-502-543.

Heather Barkenbush, CMFO

February 2, 2022

Dated

- D. **Resolution R22-056, a resolution to authorize a refund for the overpayment of taxes in the amount of \$16,345.80 to Loreta, LLC, Attn: Central refunds, 901 Corporate Center Drive, Pomona, CA 91768 with reference to Block 96, Lot 7, Qual C0004.**

RESOLUTION R22-056

MOTIONED BY:
SECONDED BY:

OVERPAYMENT OF TAXES

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 an overpayment of taxes, in the amount of \$16,345.80 was made by the Loreta, LLC with reference to, Block 96, Lot 7, Qual C0004; and

WHEREAS, Loreta, LLC has requested, in writing, that this overpayment be returned to the him; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made Loreta, LLC;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$16,345.80 for the overpayment of taxes to Loreta, LLC, Attn: Central refunds, 901 Corporate Center Drive, Pomona, CA 91768 with reference to Block 96, Lot 7, Qual C0004; and

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

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk

 February 2, 2022
 Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available under line item 2-01-55-008-006-003 to authorize the overpayment of taxes.

 Heather Barkenbush, CMFO

 February 2, 2022
 Dated

I, Bernadette Lawler, Woodland Park’s Tax & Water Collector, do hereby confirm that the information contained in this resolution is accurate and that I have requested authorization from the Woodland Park Mayor and Council to refund the stated overpayment.

 Bernadette Lawler, Tax & Water Collector

 February 2, 2022
 Dated

- E. **Resolution R22-057, a resolution to authorize a refund for the overpayment of taxes in the amount of \$3,103.04 to Loreta, LLC, Attn: Central refunds, 901 Corporate Center Drive, Pomona, CA 91768 with reference to Block 96, Lot 7, Qual C0002.**

RESOLUTION R22-057

MOTIONED BY:
SECONDED BY:

OVERPAYMENT OF TAXES

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 an overpayment of taxes, in the amount of \$3,103.04 was made by Loreta, LLC with reference to, Block 96, Lot 7, Qual C0002; and

WHEREAS, Loreta, LLC has requested, in writing, that this overpayment be returned to the them; and

WHEREAS, the Tax Collector of the Borough of Woodland Park hereby requests a refund of said overpayment be made Loreta, LLC;

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and is hereby authorized to refund the total of \$3,103.04 for the overpayment of taxes to Loreta, LLC, Attn: Central refunds, 901 Corporate Center Drive, Pomona, CA 91768 with reference to Block 96, Lot 7, Qual C0002; and

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

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk February 2, 2022
 Dated

I, Heather Barkenbush, Certified Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available under line item 2-01-55-008-006-003 to authorize the overpayment of taxes.

 Heather Barkenbush, CMFO February 2, 2022
 Dated

I, Bernadette Lawler, Woodland Park’s Tax & Water Collector, do hereby confirm that the information contained in this resolution is accurate and that I have requested authorization from the Woodland Park Mayor and Council to refund the stated overpayment.

 Bernadette Lawler, Tax & Water Collector February 2, 2022
 Dated

- F. **Resolution R22-058, a resolution to approve an addendum to the Interlocal Services Agreement between the Borough of Woodland Park and the Woodland Park Board of Education use agreement to allow the Recreation Department use of office space to house two employees in Memorial Middle School through September 30, 2031.**

RESOLUTION R22-058

MOTIONED BY:
SECONDED BY:

**RESOLUTION TO APPROVE ADDENDUM NO. 1 TO
 INTERLOCAL SERVICES AGREEMENT BETWEEN THE
 BOROUGH OF WOODLAND PARK AND THE WOODLAND
 PARK BOARD OF EDUCATION**

WHEREAS, the Woodland Park Board of Education and the Borough of Woodland Park have a mutual interest in maximizing the efficiency of services to the taxpayers, and wish to share certain services to optimize such efficiency; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes local units of government to enter into such arrangements; and

WHEREAS, on or about September 20, 2021, the Parties entered into an Interlocal Services Agreement (hereinafter referred to as the “Agreement”) relating to the Borough’s use of the Board’s facilities; and

WHEREAS, the Borough requires office space to house two of its Department of Recreation employees; and

WHEREAS, the Board has office space that can accommodate the needs of the Borough’s two Department of Recreation employees at Memorial Middle School; and

WHEREAS, the Parties have determined that it is in each of their best interests to house the Borough’s two Department of Recreation employees at Memorial Middle School, subject to the terms and conditions thereof; and

WHEREAS, the Parties desire to memorialize changes to the Agreement; and

WHEREAS, this Addendum to the Agreement is contingent upon each of the Parties adopting a Resolution authorizing this Addendum and the execution of same.

NOW, THEREFORE, it is hereby agreed by and between the Parties that the Agreement shall be amended to include the following:

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk

February 2, 2022

 Dated

G. Resolution R22-059, a resolution to approve an application based on the recommendation of Chief Paul Salomone, Jr., an application from Brian Roehrich Jr. to become a West Paterson Junior Volunteer Firefighter.

RESOLUTION R22-059

MOTIONED BY:
SECONDED BY:

ACCEPTANCE OF JUNIOR FIREFIGHTER APPLICATION

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, are in receipt of an application from Brian Roehrich Jr. of 6 Zendzian Avenue, Woodland Park, New Jersey 07424 and is seeking approval to become a West Paterson Junior Volunteer Firefighter; and

WHEREAS, the above-named applicant agrees to comply with all of the rules and regulations of the West Paterson Fire Department and the Borough Ordinances pertaining to the West Paterson Fire Department;

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, based on the recommendation of Chief Paul Salomone, Jr., approves the application of Brian Roehrich Jr. to become a West Paterson Junior Volunteer Firefighter.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk

February 2, 2022
 Dated

- H. Resolution R22-060, a resolution to approve the actions noted in the Consent Agenda, items A. through G., be and are hereby approved and the proper officers are directed to take necessary action on same.**

RESOLUTION R22-060

**MOTIONED BY:
SECONDED BY:**

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. and G., be are hereby approved and the proper officers are directed to take necessary action on same.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

February 2, 2022

Dated

11. Collector/Treasurer Report:

CMFO, Heather Barkenbush authorization for payment:

Authorize payment of the 02/15/2022 regular and miscellaneous payroll estimated at \$375,000.00

Payment of bills from voucher list of 02/02/2022 totaling \$1,343,549.06

12. Department Reports:

1. Millennium Strategies Year End Report of January 31, 2022
2. Summary Budget Status Report for January 27, 2022

13. Old Business:

14. New Business:

A. Introduction to Ordinance 22-03

B. Resolution R22-061, a resolution to introduce AN ORDINANCE ADOPTING A REVISED MUNICIPAL ZONING MAP WITHIN THE BOROUGH OF WOODLAND PARK.

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 16th day of February, 2022, at 7:00 P.M., or as soon thereafter as the matter can be reached, at the regular meeting of the Municipal Council and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of their introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**BOROUGH OF WOODLAND PARK
ORDINANCE NO. 22-03**

**AN ORDINANCE ADOPTING A REVISED MUNICIPAL ZONING MAP
WITHIN THE BOROUGH OF WOODLAND PARK**

WHEREAS, Section 22-4.2 establishes a Zoning Map for the Borough of Woodland Park; and

WHEREAS, the Borough of Woodland Park, after consultation with its Municipal Planner, has determined that a revised Zoning Map is necessary to illustrate and define the Borough's nineteen (19) land use zones set forth in Section 22-4.1 in an updated, color coded map for use by the land use boards and applicants for development approval; and

WHEREAS, the Borough Planner Darlene Green, PP, AICP of Colliers Engineering has prepared the revised Zoning Map which includes the already established Affordable Housing (R-M) Zone, and Affordable Housing Overlay (R-O) Zone; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Woodland Park, in the County of Passaic and the State of New Jersey, that:

1. The Zoning Map of the Borough of Woodland Park prepared and submitted by Darlene Green, PP, AICP, of Colliers Engineering, dated December 2021, and appended hereto and incorporated herein by reference, be and is hereby approved and adopted, supplanting and replacing the Zoning Map of 2018.

2. If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

3. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

4. This Ordinance shall take effect upon passage and publication as required by law.

Attest:

Approved:

Introduced:

Adopted:

15. Executive Session:

RESOLUTION RE22-01

**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:

- **Tax Appeals**

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.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February, 2022. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

February 2, 2022
Dated

- A. **Resolution R22-062, a resolution approving the Settlement of a tax appeal filed by 271 Tower Ridge Development, LLC and authorize the Tax Collector of the Borough of Woodland Park to refund the amount of \$1,929.30 payable to The Law Office of Jason S. Lustbader, LLC c/o 271 Tower Ridge Dev.”, 14 Pine Street, Suite 5, Morristown, NJ 07960 upon issuance of the Tax Court Judgment, according to the new assessed value of the property as a result of a successful tax appeal and to adjust the books and records accordingly.**

RESOLUTION R22-062

**RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL
FILED BY 271 TOWER RIDGE DEVELOPMENT, LLC REGARDING
BLOCK 56 LOT 5.04 AS SET FORTH ON THE OFFICIAL TAX
MAP OF THE BOROUGH OF WOODLAND PARK**

WHEREAS, 271 Tower Ridge Development, LLC is the owner of the property located at 271 Overmount Avenue, in Block 56, Lot 5.04 as set forth on the official tax map of the Borough of Woodland Park, and who has filed an appeal with the Tax Court of the State of New Jersey bearing Docket No. 011377-2020 against the assessed values of said property for tax year 2020; and

WHEREAS, the parties have agreed that the 2020 assessments will be reduced to a total of \$570,000; and

WHEREAS, the settlement for 2020 at a total assessment of \$570,000 will also apply for 2021 via the Freeze Act; and

WHEREAS, the Borough Tax Assessor, Borough Appraiser and Tax Counsel have agreed to the reduction in value on the property for 2020 and 2021 via the Freeze Act in accordance with the settlement; and

WHEREAS, the settlement results in an approximate total tax refund in the amount of \$1,929.30, of which will be made payable to the plaintiff’s attorney in this matter upon issuance of the judgment; and

WHEREAS, the Borough Council for the Borough of Woodland Park has determined that it is in the best interests of the Borough to adjust the assessments on the aforesaid property for tax year 2020 and 2021 in accordance with the settlement.

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

1. The tax assessments on the property located at 271 Overmount Avenue designated as Block 56, Lot 5.04 on the official tax map of the Borough of Woodland Park shall be reduced to a total of \$570,000 for 2020 and also for 2021 via the Freeze Act.
2. The Borough Tax Collector is hereby authorized to issue a refund in the amount of \$1,929.30 to “The Law Office of Jason S. Lustbader, LLC c/o 271 Tower Ridge Dev.”, 14 Pine Street, Suite 5, Morristown, NJ 07960 upon issuance of the Tax Court Judgment.
3. This Resolution shall take effect immediately or as otherwise provided by law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This Resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 2nd day of February 2022. Signed and sealed before me.

Sandra Olivola, Municipal Clerk

Dated

I, Heather Barkenbush, Chief Municipal Financial Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available for this purchase.

Heather Barkenbush, CMFO

Dated

16. Adjournment

**Sandra Olivola, RMC
Municipal Clerk**