

**WOODLAND PARK MUNICIPAL COUNCIL
AGENDA FOR REGULAR MEETING OF
MARCH 6, 2024**

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 10, 2024 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:**
 - **In Recognition of Women’s History Month**
 - **Kelly Spinalli**
 - **Dr. Giovanna Irizarry**
 - **Judith Schumacher Tilton**
 - **Borough Planner Darlene Green to present on the Re-Zoning Ordinance/Affordable Housing**
5. **Public Hearing:**

OPEN: Motion to open the public session. Motion to open the public session by _____ Seconded by _____.

- **ROLL CALL:**

CLOSE: Motion to close the public session. Motion to close the public session by _____ Seconded by _____.

- **ROLL CALL:**
6. **Approval of Minutes:**
 - **Regular Meeting Minutes of July 19, 2023**
 - **Executive Session Minutes of July 19, 2023**
 - **Regular Meeting Minutes of August 16, 2023**

MOTION: Motion to approve the minutes by _____, seconded by _____.

- **ROLL CALL:**
7. **Council Comments:**
8. **Business Administrator’s Report:**
9. **Mayor’s Report:**
10. **Municipal Attorney’s Report:**
11. **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 R24-078, a resolution to support the opposing of assembly bill no. 4 senate bill no. 50, which proposes to over hall the fair housing act (“FHA”) in a way that imposes unrealistic obligations with unrealistic deadlines based upon onerous standards.**

- B. Resolution R24-079, a resolution authorizing to enter into an agreement with the State of New Jersey, Commissioner of Transportation for a traffic signal at the intersection of Route 80 and Squirrelwood Rd.
- C. Resolution R24-080, a resolution to authorize the CMFO to transfer certain funds among the various line items as contained within the 2023 adopted municipal budget.
- D. Resolution R24-081, a resolution to authorize the Knights of Columbus Council #240 to conduct a “Shake a Can” Fundraiser on Saturday, April 27th 2024 and Sunday, April 28th 2024, and rain dates of May 4, 2024 and May 5th, 2024 between the hours of 8:30 A.M. to 4:30 P.M. at the intersections of McBride and Lackawanna Avenues; Glover and McBride Avenues; Hillery St. and McBride Avenue.
- E. Resolution R24-082, a resolution to approve the West Paterson Fire Department to purchase swift water gear and other essential equipment from Continental Fire & Safety, Inc, a State Contract vendor under Contract #17-FLEET00802 in an amount not to exceed \$44,098.25.
- F. Resolution R24-083, a resolution to authorize a Before and After Care Program registration refund to Heather Figliolino of Woodland Park, NJ in the amount of \$280.00.
- G. Resolution R24-084, a resolution to request a no-cost grant extension from the County for the 2018 Passaic County Community Development Block Grant (CDBG), which includes the purchase and installation of new ADA compliant doors for the Public Library until December 31, 2025.
- H. Resolution R24-085, a resolution to request a no-cost grant extension from the County for the 2019 Passaic County Community Development Block Grant (CDBG), which includes the purchase and installation of new ADA compliant doors for the Public Library Bathrooms until December 31, 2025.
- I. Resolution R24-086, a resolution to request from the Passaic County Community Development Block Grant funding from CDBG-CV1 and CDBG-CV3 to support the improvement and expansion of the Alfred H. Baumann Free Public Library for the installation of a generator in the amount of \$260,000.00.
- J. Resolution R24-087, a resolution establishing the Borough’s Temporary Budget for 2023, in an amount of \$897,017.00 and establishing the Water Utility’s Temporary Budget for 2023, in an amount of \$857,017.00.
- K. Resolution R24-088, a resolution to amend resolution R24-041 to approve the Borough to submit an application to the Department of Environmental Protection Green Acres Program for a grant to assist in funding the Diane Grimes Memorial Park Inclusivity Upgrade Project.
- L. Resolution R24-089, a resolution to approve the actions noted in the Consent Agenda, items A. through L., be and are hereby approved and the proper officers are directed to take necessary action on same.

MOTION: Motion to approve the Consent Agenda by _____, seconded by _____.

- ROLL CALL:

12. Collector/Treasurer Report:

CFO, Heather Barkenbush authorization for payment:

- Authorize payment of the 3/15/2024 regular and miscellaneous payroll estimated at \$445,000.00.

MOTION: Motion to approve payroll by _____, seconded by _____.

- **ROLL CALL:**

- Authorize Payment of bills from voucher list of 2/29/2024 totaling \$422,872.78.

MOTION: Motion to approve payment of bills by _____, seconded by _____.

- **ROLL CALL:**

13. Department Reports:

1. Millennium Strategies Monthly Report for February 2024
2. Municipal Court Report for February 2024
3. Fire Prevention Report for February 2024
4. Summary Budget Status Report as of 2023 and 2024

MOTION: Motion to approve Departmental Reports by _____, seconded by _____.

- **ALL IN FAVOR:**

14. Old Business:

A. Public Hearing on the adoption of Ordinance 24-05

OPEN: Motion to open the public session. Motion to open the public session by _____, Seconded by _____.

- **ROLL CALL:**

CLOSE: Motion to close the public session. Motion to close the public session by _____ Seconded by _____.

- **ROLL CALL:**

B. Resolution R24-090, a resolution to adopt Ordinance 24-05, AN ORDINANCE OF THE BOROUGH OF WOODLAND PARK AMENDING AND SUPPLEMENTING CHAPTER 22, "ZONING", SECTION 22-3 "DEFINITIONS", SECTION 22-4.1 "ZONE DISTRICT", SECTION 22-4.2 "ZONING MAP", "SECTION 22-4.4 "SCHEDULE OF PERMITTED USES", SECTION 22-4.5 "SCHEDULE OF BULK ZONING REQUIREMENTS", SECTION 22-4.6 "SCHEDULE OF PARKING REQUIREMENTS", AND SECTION 22-22 "RESERVED" TO CREATE A NEW RESIDENCE I DISTRICT (INCLUSIONARY MULTI-FAMILY RESIDENTIAL)

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Woodland Park that Ordinance 24-05 be and 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.

MOTION: Motion to Adopt Ordinance 24-05 by _____, seconded by _____.

- **ROLL CALL:**

15. New Business:

16. Adjournment:

MOTION: Motion to Adjourn the Meeting by _____, Seconded by _____.

- **ROLL CALL:**

**Sandra Olivola, RMC
Municipal Clerk**

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-078**

MOTIONED BY:

SECONDED BY:

**RESOLUTION OF THE BOROUGH OF WOODLAND PARK, COUNTY OF PASSAIC, OPPOSING
ASSEMBLY BILL NO. 4/SENATE BILL NO. 50, WHICH PROPOSES TO OVER HALL THE
FAIR HOUSING ACT (“FHA”) IN A WAY THAT IMPOSES UNREALISTIC OBLIGATIONS
WITH UNREALISTIC DEADLINES BASED UPON ONEROUS STANDARDS**

Mount Laurel II

WHEREAS, in 1983, the Supreme Court decided a landmark case, commonly referred to as Mount Laurel II; and

WHEREAS, Mount Laurel II and its progeny generated substantial litigation culminating in the enactment of the New Jersey Fair Housing Act in 1985 (“FHA”); and

The Fair Housing Act of 1985

WHEREAS, the Legislature enacted the FHA to restore home rule, to bring the fair share numbers back to reality and to reduce the burdens of Mount Laurel compliance; and

WHEREAS, more specifically, the FHA sought *to restore home rule* by imposing a moratorium on the builder’s remedy and by providing an administrative process that municipalities could voluntarily pursue wherein they would be insulated from developers seeking builder’s remedies to try to compel them to capitulate their zoning demands; and

WHEREAS, the FHA sought *to bring the fair share numbers back to reality* by among other things defining the prospective need as the need “based on development and growth which is reasonably likely to occur” and by calling for the fair share to be adjusted to a number lower than the fair share formula generated if the municipality lacked sufficient land to satisfy the obligation generated by the fair share formula; and

WHEREAS, the FHA sought *to reduce the burdens on municipalities* by prohibiting any requirement for municipalities to expend their own resources to comply; and

The New Jersey Council on Affordable Housing

WHEREAS, the FHA created COAH and conferred “primary jurisdiction” on COAH to administer the FHA and to implement the affordable housing policies of our State; and

WHEREAS, all acknowledge -- even Fair Share Housing Center (“FSHC”) -- that COAH functioned just fine in Rounds 1 and 2; and

WHEREAS, COAH did not adopt valid regulations for Round 3 despite multiple efforts to do so and made no efforts to cure the bottleneck the third time COAH voted 3-3 on Round 3 regulations; and

Mount Laurel IV

WHEREAS, in 2015, the Supreme Court issued a decision, commonly referred to as Mount Laurel IV, in response to a motion to transfer the responsibilities of COAH back to the courts in light of COAH’s failure to adopt valid regulations; and

WHEREAS, in Mount Laurel IV, the Supreme Court returned the task of implementing the doctrine back to the Courts because COAH had failed to do its job and made no effort to cure the roadblock when it voted 3-3 on the third iteration of Round 3 regulations; and

WHEREAS, notwithstanding the foregoing, the Court emphasized that it preferred the administrative remedy created by the FHA to a judicial one and hoped that COAH would be effective so that towns could comply once again through the administrative process created by the FHA; and

WHEREAS, the Court process proved to be far more expensive than the COAH process and was ill-suited for resolving comprehensive planning disputes over affordable housing matters; and

WHEREAS, the Round 3 process was a disaster with judges pressing municipalities to comply before even establishing the obligations with which they must comply; and

WHEREAS, ultimately, on March 8, 2018, after a 41-day trial in Mercer County, Judge Jacobson issued an opinion in which she set forth a fair share methodology; and

WHEREAS, in that trial and in various other instances throughout the state, FSHC took the position that the Statewide obligation should exceed 300,000 to be addressed between 2015 and 2025; and

WHEREAS, municipalities, through Dr. Robert Powell, presented evidence that, in a best case scenario, the State could only absorb less than 40,000 affordable units and thus argued that FSHC's calculations was not grounded in reality whatsoever; and

WHEREAS, the Court, having been constrained by the Supreme Court to prescriptively utilize a formula from 1993, ultimately concluded that the Statewide obligation to be constructed between 2015-2025 was roughly 153,000 units; and

The 354 Settlements with FSHC

WHEREAS, FSHC reports that it entered 354 settlements in Round 3; and

WHEREAS, many municipalities are reeling under the burden of satisfying their obligations under those settlements entered between 2015 and 2023; and

WHEREAS, many of those Round 3 settlements will result in development during the Round 4 period; and

WHEREAS, Round 4 is set to begin on July 1, 2025 and there is no comprehensive analysis on the impacts of the 354 Round 3 settlements and over-zoning described above; and

WHEREAS, indeed, the A4/S50 Bill fails to consider the impact from affordable housing projects that were approved during the Third Round, but are still not yet under construction, as said projects, as well as additional future projects, will impact legitimate public concerns like infrastructure, the environment, schools, traffic, parking and open space; and

WHEREAS, the Round 3 process destroyed the balance achieved by the Fair Housing Act in 1985; and

A-4/S-50

WHEREAS, on December 19, 2023, against the above backdrop, the Housing Committee of the Assembly (a) unveiled the Legislation (A-4) – a detailed 69-page bill that the Chairwoman of the Housing Committee announced had been worked on for a long time; and (b) scheduled the bill for a vote at a hearing scheduled less than 24 hours later; and

WHEREAS, on December 19, 2023, the Administrative Office of the Courts wrote to the Legislature and made clear that it could not structure the bill in the manner set forth in the proposed legislation; and

WHEREAS, notwithstanding the foregoing, on December 20, 2023, the Housing Committee voted the bill out of the Committee and announced that the bill needed to be ready for signing by the Governor before the end of the lame duck session on January 8, 2024; and

WHEREAS, the perception that the Legislature designed was to adopt the bill before the public had an opportunity to review it and provide meaningful comment was as real as it was unmistakable; and

WHEREAS, consequently, the Legislature did not ram the bill through in the lame duck session; and

WHEREAS, instead, on January 29, 2024, the Housing Committee of the Assembly met to consider a new version of A-4 and voted to release it out of the Committee; and

WHEREAS, on February 8, 2024, as a result of comments, letters and resolutions challenging this new version of A-4, the Appropriations Committee of the Assembly announced a number of changes to the Bill; and

WHEREAS, one witness likened the summary presented to the public at the February 8, 2024 Appropriations meeting to that of an auctioneer; and

WHEREAS, the Appropriations Committee voted the bill out of the Committee at its February 8, 2024 meeting before the public had an opportunity to even see the changes, much less process their significance and comment on them; and

WHEREAS, the bill has been improved marginally as it has evolved from its initial version in December of 2023 to the current version voted out of the Appropriations Committee of the Assembly on February 8, 2024; and

WHEREAS, despite elimination of just some of the gross excesses of the prior version of the bill, the current bill released after the February 8, 2024 Appropriations Committee meeting is still severely flawed; and

WHEREAS, the Bill still creates a judicial entity made up of 3-7 retired Mount Laurel judges called “The Program”, which, unlike COAH, is not comprised of an equal number of municipal and housing representatives, and is not made up of an equal number of Republicans and Democrats, thereby depriving the citizens of our State of the carefully crafted COAH Board that included a diversity of interests and that was the centerpiece of the FHA adopted in 1985; and

WHEREAS, the Bill still does not require the promulgation of affordable housing obligations, or the adoption of substantive regulations, in a way that utilizes an open and transparent process that COAH used and that gave all interested parties an opportunity to comment and receive COAH’s response to their comments; and

WHEREAS, as detailed below, the bill creates a patently unreasonable responsibility on municipalities by imposing an obligation on them to create a realistic opportunity for satisfaction of a fair share that is itself unrealistic; and

WHEREAS, the current version still details the methodology to be used for determining the fair share numbers of municipalities in Round 4 and in subsequent rounds; and

WHEREAS, the current version still presumes that 40 percent of all new households will qualify as low or moderate; and

WHEREAS, the current version still calls for the determination of the prospective need by subtracting the number of households reported in the 2010 Decennial Census from the number of households reported in the 2020 Decennial Census and multiplying that figure by 40 percent; and

WHEREAS, we calculate the statewide need number to be 84,690 based upon the formula set forth in the bill; and

WHEREAS, the current version of the Bill calls for 84,690 to be adjusted by the number of conversions and demolitions; and

WHEREAS, the statewide fair share would be increased from 84,690 to 96,780, if we assume the same number of demolitions and conversions used by Judge Jacobson in her formula for Round 3 that will apply in Round 4; and

WHEREAS, we can estimate the obligation of each municipality if we assume that the same percentage of the regional need in Round 3 for each municipality applies in Round 4; and

WHEREAS, we have widely distributed our estimates and invited input after acknowledging that we have done the best we can to formulate estimates in very limited time; and

WHEREAS, other than an analysis of the allocation factors by an expert for the American Planning Association (Creigh Rahenkamp) who identified problems with the allocation factors, nobody has accepted our invitation to review and comment on our rough estimates; and

WHEREAS, to the contrary, the Executive Director of Fair Share Housing Center testified that he did not have a calculation of the fair share numbers; and

WHEREAS, more importantly, no committee of the Assembly or Senate has identified the fair share obligations municipalities should expect based upon the formula set forth in the bill; and

WHEREAS, the 96,780 fair share number estimated for Round 4 compares to the roughly 211,000 COs issued between 2010 and 2020; and

WHEREAS, the 96,780 fair share number divided by 211,000 COs equals roughly 46 percent (45.867 percent to be more precise); and

WHEREAS, all municipalities should be able to cure any violations of the prohibition against exclusionary zoning with inclusionary zoning; and

WHEREAS, traditional inclusionary zoning ordinances generally require no more than 20 percent of the units to be affordable; and

WHEREAS, it is mathematically impossible to satisfy a 46 percent problem with a 20 percent solution and, therefore, the number generated by the statutory formula is patently excessive; and

WHEREAS, while this mathematical error conceptually may have existed at COAH, COAH utilized its discretion to reduce the statewide number to roughly 5,000 units per year in Rounds 1-2 (or lower for prospective need in its attempted regulations in 2014); and

WHEREAS, in addition, COAH's Round 2 regulations had flexible standards, Regional Contribution Agreements (RCAs), an achievable bonus structure, waivers and other flexible standards to further mitigate the problem; and

WHEREAS, had COAH not mitigated the problem, it is likely that the regulations would have been challenged by municipalities; and

WHEREAS, **as detailed below, the Bill still fails to account for the enormous burdens on municipalities to comply with their Round 3 obligations before imposing very substantial additional burdens on those 354 municipalities for Round 4; and**

WHEREAS, a representative of FSHC testified that it has entered into 354 settlements and that it would furnish those settlements to the Housing Committee, which it has failed to do; and

WHEREAS, we have pressed FSHC to advise how much development will take place in Round 4 as a result of municipalities implementing the 354 settlements reached in Round 3; and

WHEREAS, Adam Gordon on behalf of FSHC has indicated he doesn't know the answer to this question and no committee of the Assembly or Senate has even hinted at what the answer might be; and

WHEREAS, **the Bill requires municipalities to create a realistic opportunity for satisfaction of a fair share without taking into account how many affordable units can realistically be achieved through traditional inclusionary zoning (where generally one out of every five units must be affordable); and**

WHEREAS, we also sought to ascertain how many affordable units could be realistically achieved through traditional inclusionary zoning by urging the Legislature to do a market study since the strength of the housing market will determine the number of market units that can reasonably be anticipated that are essential to generating one affordable unit for every four market units constructed; and

WHEREAS, the Legislature has not furnished a market study in response to our repeated emphasis on the need for one to ascertain how many affordable units could be realistically achieved through traditional inclusionary zoning; and

WHEREAS, **as explained below, the bill dilutes the protections to which a municipality is currently entitled as it seeks to comply voluntarily and even after it secures approval of its affordable housing plan; and**

WHEREAS, current laws preserve a municipality's immunity in the absence of proof that the municipality is "determined to be constitutionally noncompliant", the proposed bill does not give municipalities

seeking to comply voluntarily the same measure of protection the Supreme Court deemed appropriate; and

WHEREAS A4/S50 subjects municipalities to litigation not only as they seek approval of their Housing Element and Fair Share Plans, but also even after they secure approval of those plans; and

WHEREAS, more specifically, A4/S50 provides municipalities a “compliance certification” if the municipality secures approval of its affordable housing plan; however, that certification does not prevent an interested party from “alleging that, despite the issuance of compliance certification, a municipality’s fair share obligation, fair share plan, housing element, or ordinances implementing the fair share plan or housing element are in violation of the Mount Laurel doctrine”; and

WHEREAS, the Bill suffers from a myriad of additional flaws; and

WHEREAS, under current laws, a municipality would have a right to rely on the fair share number that COAH provides; however, under the new bill a municipality would only have a presumption of validity that the number the DCA provides to the municipality is appropriate and FSHC, a deep pocketed developer or any other interested party could seek to overcome that presumption through litigation; and

WHEREAS, the A4/S50 Bill replaces a straightforward system by which a municipality could secure bonus credits up to a 25 percent cap with a highly complicated system for securing bonuses with many conditions attached to various forms of bonus.; and

WHEREAS, the Legislature previously capped the fair share of any municipality down to 1,000 in recognition that any obligation above 1,000 would be “onerous”; A4/S50 applies the 1,000-unit cap only to a component of the municipality’s fair share -- the prospective need – and authorizes the imposition of an obligation that is onerous; and

WHEREAS, the A4/S50 Bill creates unfair requirements and ambiguity when it comes to the Vacant Land Adjustment process, which could lead to municipalities that lack sufficient vacant land being required to produce more affordable housing units than is practical; and

WHEREAS, the A4/S50 Bill includes many other provisions and changes to the FHA that are impractical and devoid of any consideration of the burdens created by the statute; and

WHEREAS, as a result of the facts set forth above, a bill that boasts of its effectiveness in reducing costs and litigation will clearly have the exact opposite effect; and

WHEREAS, in addition to all the concerns expressed above, a bill that so radically changes the affordable housing laws of our state still needs considerable work; and

WHEREAS, indeed, as the following facts demonstrate, the Legislature has yet to do the most fundamental due diligence before enacting a statute with such broad ramifications;

1. The Legislature has not and cannot inform the public of the fair share obligations the bill, if enacted, would impose on the public;
2. The Legislature has not and cannot inform the public of the obligations that municipalities will satisfy in Round 4 from the 354 settlements achieved in Round 3 before heaping substantial additional burdens on them for Round 4;
3. The Legislature has not and cannot inform the public of the number of affordable units that can realistically be achieved through traditional inclusionary zoning while imposing obligations on municipalities to create a realistic opportunity for a fair share that far exceeds any number a municipality can realistically achieve through inclusionary zoning; and

WHEREAS, as a result of the pronounced lack of due diligence, the bill will likely force taxes to increase dramatically and will foster serious overdevelopment creating unreasonable burdens on our schools, public services, roads, sewer and water infrastructure; and

WHEREAS, the Legislature clearly can and should upgrade the affordable housing policies of our State; however, the current Version of A4 is not the answer and the most fundamental diligence can and should be exercised before adopting such a bill.

NOW, THEREFORE, BE IT RESOLVED, that for all of the above reasons, the Mayor and Council of the Borough of Woodland Park, County of Passaic, objects to and opposes Assembly Bill No. 4/Senate Bill No. 50, and requests that the bill be tabled, re-written and re-introduced in way that imposes achievable obligations and facilitates the ability of the municipality to satisfy its obligations.

A certified copy of this resolution shall be sent to the Legislators in the State Assembly and Senate representing our District immediately.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

 Sandra Olivola, Municipal Clerk

March 6, 2024

 Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-079**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AUTHORIZE TO ENTER INTO AN AGREEMENT WITH THE STATE OF
NEW JERSEY, COMMISSIONOR OF TRANSPORTATION FOR A TRAFFIC SIGNAL AT THE
INTERSECTION OF ROUGH 80 AND SQUIRRELWOOD ROAD**

WHEREAS, a traffic condition exists at the intersection of Route 80 (M.P. 57.07) and Squirrelwood Road (CR 636), in the Borough of Woodland Park, in the County of Passaic, which requires the operation of a semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk of the Borough of Woodland Park, County of Passaic be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk of the Borough of Woodland Park, County of Passaic, State of New Jersey be and are hereby authorized to execute said Agreement.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-080**

MOTIONED BY:
SECONDED BY:

BUDGET TRANSFER

WHEREAS, the Mayor and Council of the Borough of Woodland Park did adopt a budget for the year 2023 in accordance with Municipal Budget Law N.J.S.A. 40A:4 et seq.; and

WHEREAS, it has become necessary to transfer certain funds among the various line items as contained within the aforementioned adopted municipal budget; and

WHEREAS, N.J.S.A. 40A:4-58 allows for the transfer of funds among line items of and adopted municipal budget during the last two months of the fiscal year and N.J.S.A. 40A:4-59 appropriation transfers during first three months of succeeding year; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, that the Chief Municipal Financial Officer of the Borough of Woodland Park is hereby authorized to make the transfers as listed on the following schedule among various line items:

March 6, 2024	Current Fund		
	2023 Budget Transfers	FROM	TO
3-01-20-100-101-020	General Administration - O/E		\$4,000.00
3-01-20-130-130-020	Financial Admin O/E	\$4,000.00	
	TOTAL	\$4,000.00	\$4,000.00

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

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 transfer.

March 6, 2024

Heather Barkenbush, CMFO

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-081**

MOTIONED BY:
SECONDED BY:

**KNIGHTS OF COLUMBUS COUNCIL #240
CAN SHAKE FUNDRAISER**

WHEREAS, the Knights of Columbus Council #240 has requested permission to conduct a “Shake a Can” Fundraiser on Saturday, April 27th 2024 and Sunday, April 28th 2024, and rain dates of May 4, 2024 and May 5th, 2024 between the hours of 8:30 A.M. to 4:30 P.M., in order to collect voluntary contributions for their various charities; and

WHEREAS, the Knights of Columbus Council #240 has requested that this activity be held at the intersections of McBride and Lackawanna Avenues; Glover and McBride Avenues; Hillery St. and McBride Avenue; and

WHEREAS, the Mayor and Council of the Borough of Woodland Park fully support the dedicated efforts of the Knights of Columbus Council #240 in all of their activities and recognize the need to periodically solicit contributions from the public; and

WHEREAS, under the recommendation of Chief John Uzzalino subject to the approval from the County of Passaic and the State of New Jersey solicitation are permitted during daylight hours at the following locations; McBride and Lackawanna Avenues; Glover and McBride Avenues; Hillery St. and McBride Avenue; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park authorizes the Knights of Columbus Council #240 to conduct a “Shake a Can” Fundraiser at the intersections of McBride and Lackawanna Avenues; Glover and McBride Avenues; Hillery St. and McBride Avenue Saturday, Saturday, April 27th 2024 and Sunday, April 28th 2024 and rain dates of Saturday, May 4, 2024 and Sunday, May 5th, 2024, between the hours of 8:30 A.M. to 4:30 P.M.;

BE IT FURTHER RESOLVED, that this acknowledgement is conditioned on the following:

1. That no one under the age of eighteen (18) be permitted to solicit funds on any public street or from any person in/on a vehicle on a public street; and
2. That safety measures (clothing/jackets with reflective material/tape, traffic cones, barriers, etc.) be utilized to warn drivers of pedestrian activity in the road to protect the solicitors.
3. At least two warning signs shall be placed as follows: “CHARITABLE SOLICITATION 500 FEET AHEAD.”
4. With regard to solicitations at the intersection of McBride and Glover Avenues, solicitations are prohibited on the Paterson side of Glover Avenue east of McBride Avenue.
5. The Woodland Park Police Department may suspend solicitation operations at any time if any condition of the permit is violated or if the police officers or Departments sole discretion, traffic is being impeded or delayed or the public safety is at risk.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-082**

MOTIONED BY:
SECONDED BY:

**PURCHASE OF SWIFT WATER GEAR FOR USE OF
THE WEST PATERSON FIRE DEPARTMENT**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire to purchase swift water gear and other essential equipment for use by the West Paterson Fire Department; and

WHEREAS, said turnout gear is available under New Jersey State Contract #17-FLEET-00802 from Continental Fire & Safety, Inc., 2740 Kuser Road, Hamilton, NJ 08691 for a total amount of \$44,098.25; and

WHEREAS, funding for this expenditure has been provided for under Capital Ordinance 23-10 under line item C-04-23-010-000-911;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby authorize the purchase of the items listed on Proposal #24-338 from Continental Fire & Safety, Inc., 2740 Kuser Road, Hamilton, NJ 08691 for a total amount of \$44,098.25.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

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

March 6, 2024

Heather Barkenbush, CMFO

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-083**

MOTIONED BY:
SECONDED BY:

**AUTHORIZE REFUND OF
BEFORE AND AFTER CARE REGISTRATION**

WHEREAS, the Borough of Woodland Park Recreation Department processes registrations for the 2023-2024 Before and After Care Program through Community Pass; and

WHEREAS, payments for registration are typically made using credit cards and e-check through the Community Pass website; and

WHEREAS, it is the policy of the Borough to issue refunds by check; and

WHEREAS, the Chief Financial Officer has certified the funds available in Account No. T-18-56-850-000-811.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodland Park that the Borough Treasurer is hereby authorized a refund of the Before and After Care Program registration to Heather Figliolino of Woodland Park, NJ in the amount of \$280.00.

Record of Acting Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Acting Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

I, Heather Barkenbush, Certified Municipal Finance Officer for the Borough of Woodland Park do hereby confirm that there are sufficient funds available for this refund.

March 6, 2024

Heather Barkenbush, CMFO

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-084**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION REQUESTING AN EXTENSION OF THE
PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT F.Y. 2018
ADA COMPLIANT DOORS FOR THE ALFRED H. BAUMANN FREE PUBLIC LIBRARY**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey applied for and received a grant from the 2018 Passaic County Community Development Block Grant (CDBG), which includes the purchase and installation of new ADA compliant doors for the Alfred H. Baumann Free Public Library (Public Library); and

WHEREAS, the CDBG Sub-recipient Agreement for the funding provided to the Woodland Park Public Library for the above mentioned expired on December 31, 2023; and

WHEREAS, In March 2020 the Woodland Park Public Library applied for and received a Project grant entitled the New Jersey Library Construction Bond Act for the purposes for the renovation of the Woodland Park Public Library; and

WHEREAS, due to the project being underfunded and delays in the bid process, the Construction Contract for the Woodland Park Public Library project has not been awarded; and

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, hereby request a no-cost grant extension for this grant until December 31, 2025, the projected completion date of the renovation;

NOW, THEREFORE BE IT RESOLVED, that the Borough Administrator is hereby authorized to represent the Borough in all matters relating to this grant, which includes signing and executing all relative documents.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-085**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION REQUESTING AN EXTENSION OF THE
PASSAIC COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT F.Y. 2019
ADA COMPLIANT BATHROOMS FOR THE ALFRED H. BAUMANN FREE
PUBLIC LIBRARY BATHROOMS**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey applied for and received a grant from the 2019 Passaic County Community Development Block Grant (CDBG), which includes the installation of ADA compliant bathrooms for the Woodland Park Alfred H. Baumann Free Public Library bathrooms (Public Library); and

WHEREAS, the CDBG Sub-recipient Agreement for the funding provided to the Woodland Park Public Library for the above mentioned expired on December 31, 2023; and

WHEREAS, The Borough of Woodland Park has been working for several years to improve and expand the Woodland Park Public library; and

WHEREAS, In March 2020 the Public Library applied for and received a Project grant entitled the New Jersey Library Construction Bond Act for the purposes for the renovation of the Woodland Park Library in the amount of: \$5.1 million dollars; and

WHEREAS, due to the project being underfunded and delays in the bid process, the Construction Contract for the Woodland Park Public Library project has not been awarded; and

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, hereby request a no-cost grant extension for this grant until December 31, 2025, the projected completion date of the renovation;

NOW, THEREFORE BE IT RESOLVED, that the Borough Administrator is hereby authorized to represent the Borough in all matters relating to this grant, which includes signing and executing all relative documents.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-086**

MOTIONED BY:
SECONDED BY:

**RESOLUTION TO REQUEST FOR PASSAIC COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDING FROM CDBG-CV1 AND CDBG-CV3 TO SUPPORT
THE RENOVATION AND EXPANSION OF THE WOODLAND PARK
ALFRED H. BAUMANN FREE PUBLIC LIBRARY**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, wish to request Passaic County Community Development Block Grant funding from CDBG-CV1 and CDBG-CV3 to support the renovation and expansion of the Woodland Park Alfred H. Baumann Free Public Library (Public Library); and

WHEREAS, The Borough of Woodland Park has been working for several years to renovate and expand the Public library; and

WHEREAS, In March 2020 the Public Library applied for and received a Project grant entitled the New Jersey Library Construction Bond Act for the purposes for the renovation of the Woodland Park Public Library in the amount of: \$5.1 million dollars and Passaic County awarded two Community Development Block Grants: FY 2018: 75,000 (ADA entrance doors) and FY 2019: \$60,000 (ADA bathrooms); and

WHEREAS, due to the project being underfunded, the Mayor and Council have a need for the allocation of Community Development Block Grant CDBG-CV1 and CDBG-CV3 funding for the installation of a generator for \$260,000.00, this funding will permit the Borough to bid the project immediately and to start construction as soon as possible; and

WHEREAS, the renovated library will also serve as a warming shelter for Woodland Park residents and the generator will ensure proper lighting, heat and/or air conditioning to combat power outages during disasters and severe weather events;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, do hereby request Passaic County Community Development Block Grant CBDG-CV1 and CDBG-CV3 funding to support the improvement and expansion of the Alfred H. Baumann Free Public Library for the installation of a generator in the amount of \$260,000.00.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-087**

MOTIONED BY:
SECONDED BY:

**EMERGENCY TEMPORARY RESOLUTION
PRIOR TO ADOPTION OF THE BUDGET
N.J.S. 40A:4-20**

WHEREAS, an emergent condition has arisen with respect to unexpected expenses and no adequate provision was made in the 2023 temporary budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2023 pursuant to the provisions of N.J.S. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$9,601,126.93 Grand Total of Current Fund Budget Appropriations;

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members therefore affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20.

The following Temporary Emergency Appropriation is hereby made:

3-6-2024	EMERGENCY TEMPORARY RESOLUTION	
BUDGET ACCOUNT	BUDGET ACCOUNT	AMOUNT
	CURRENT FUND	
4-01-20-100-101-010	GENERAL ADMINISTRATION - SW	
4-01-20-100-101-020	GENERAL ADMINISTRATION - OE	
4-01-20-110-110-010	MAYOR & COUNCIL - SW	5,000.00
4-01-20-130-130-010	FINANCE- SW	17,000.00
4-01-0-130-130-020	FINANCE -OE	
4-01-20-145-145-010	COLLECTION OF TAXES - SW	4,000.00
4-01-20-145-145-020	COLLECTION OF TAXES - OE	1,000.00
4-01-20-150-150-010	TAX ASSESSOR - SW	2,000.00
4-01-20-150-150-020	TAX ASSESSOR - OE	
4-01-20-155-155-020	LEGAL - OE	
4-01-20-155-157-020	LEGAL - COAH LITIGATION	
4-01-20-165-165-020	ENGINEERING - OE	3,000.00
4-01-21-180-180-020	PLANNING BOARD - OE	
4-01-21-185-185-010	ZONING BOARD - SW	
4-01-21-185-185-020	ZONING BOARD - OE	
4-01-22-195-195-010	UNIFORM CONSTRUCTION CODE - SW	6,000.00
4-01-22-195-195-020	UNIFORM CONSTRUCTION CODE - OE	3,000.00
4-01-22-195-198-010	PLUMBING INSPECTION - SW	1,000.00
4-01-22-195-199-010	ELECTRICAL INSPECTIONS - SW	1,000.00
4-01-22-195-202-010	FIRE PROTECTION OFFICIAL - SW	1,000.00
4-01-22-195-200-020	ELEVATOR INSPECTIONS - OE	
4-01-23-210-210-020	INSURANCE PREMIUMS	
4-01-23-220-220-020	GROUP INSURANCE - OE	200,000.00
4-01-25-240-240-010	POLICE DEPARTMENT - SW	249,000.00
4-01-25-240-240-020	POLICE DEPARTMENT - OE	
4-01-25-252-252-010	OFFICE OF EMERGENCY MANAGEMENT - SW	500.00
4-01-25-265-265-020	FIRE DEPARTMENT - OE	10,000.00
4-01-25-265-268-010	UNIFORM FIRE SAFETY - SW	
4-01-25-265-269-010	LIFE HAZARD USE FEE - SW	5,000.00
4-01-25-265-270-011	FIRE ALARM SYSTEMS - SW	
4-01-25-275-275-020	MUNICIPAL PROSECUTOR - OE	2,000.00

4-01-26-290-290-010	STREETS & ROADS MAIN - SW	75,000.00
4-01-26-290-290-020	STREETS & ROADS MAIN - OE	10,000.00
4-01-26-291-291-020	SNOW REMOVAL RESERVE	
4-01-26-300-301-011	SEWER - SW	20,000.00
4-01-26-300-301-020	SEWER - OE	20,000.00
4-01-26-305-305-020	SOLID WASTE COLLECTION - OE	81.00
4-01-26-305-306-010	RECYCLING - SW	4,000.00
4-01-26-310-310-010	BUILDING & GROUNDS - SW	
4-01-26-310-310-020	BUILDING & GROUNDS - OE	5,000.00
4-01-26-315-315-010	VEHICLE MAINTENANCE - SW	8,000.00
4-01-26-315-315-020	VEHICLE MAINTENANCE - OE	
4-01-27-330-330-010	PUBLIC HEALTH SERVICES - SW	
4-01-27-330-330-020	PUBLIC HEALTH SERVICES - OE	
4-01-27-330-331-020	BRD OF HEALTH CONTRACT - OE	
4-01-27-340-340-020	ANIMAL CONTROL SERVICES - OE	2,000.00
4-01-28-370-370-010	YOUTH & SENIOR CENTER - SW	2,000.00
4-01-28-370-370-020	YOUTH & SENIOR CENTER - OE	
4-01-28-375-375-010	RECREATION SERVICES - SW	
4-01-28-375-375-020	RECREATION SERVICES -OE	
4-01-29-390-390-020	MUNICIPAL LIBRARY - OE	
4-01-30-420-420-020	CELEBRATION OF PUBLIC EVENTS	2,000.00
4-01-31-440-440-020	TELEPHONE	
4-01-31-445-445-020	FIRE HYDRANT SERVICES	
4-01-31-455-455-020	PASSAIC VALLEY SEWERAGE - OE	
4-01-31-460-460-020	GASOLINE & MOTOR FUEL OIL	
4-01-36-471-471-020	PUBLIC EMPLOYEES RETIREMENT-OE	321,067.00
4-01-36-472-472-020	SOCIAL SECURITY - OE	10,000.00
4-01-36-473-473-020	DEFINED CONTRIBUTION RETIREMENT PROGRAM	1,000.00
4-01-36-475-475-020	POLICE & FIRE RETIREMENT PROGRAM	1,042,963.00
4-01-35-470-470-020	CONTIGENT	
4-01-6-476-476-020	UNEMPLOYMENT FUND	
4-01-37-480-480-020	JUDGEMENTS	
4-01-42-110-110-020	SHARED SERVICE AGREEMENTS BOARD OF ED	
4-01-43-490-491-010	MUNICIPAL COURT - SW	5,000.00
4-01-43-490-491-020	MUNICIPAL COURT - OE	
4-01-43-495-495-020	PUBLIC DEFENDER - OE	2,000.00
Debt	BCIA Principal	
	RESOLUTION INCREASE	2,040,611.00
	CURRENT BUDGET STATUS	<u>7,650,029.00</u>
	NEW TEMPORARY BUDGET TOTAL	9,690,640.00
	WATER ACCOUNT	
4-05-55-501-501-501	WATER SALARIES	<u>20,000.00</u>
4-05-55-502-502-520	WATER OE	<u>20,000.00</u>
4-05-55-540-540-542	Contribution PERS Pension	
	RESOLUTION INCREASE	40,000.00
	WATER BUDGET STATUS	<u>857,017.00</u>
	NEW TEMPORARY BUDGET TOTAL	897,017.00

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of Local Government Services.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

I, Heather Barkenbush, Certified Municipal Finance Officer of Woodland Park, do hereby confirm that there are sufficient funds available.

March 6, 2024

Heather Barkenbush, CMFO

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-088**

MOTIONED BY:
SECONDED BY:

**A RESOLUTION TO AMEND RESOLUTION R24-041
STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides grants and/or loans to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Woodland Park desires to further the public interest by obtaining funding in the amount of \$757,500, in the form of a \$757,500 matching grant and, if available, a \$0 loan, from the State to fund the following project(s): Diane Grimes Memorial Park Inclusivity Upgrade Project at a cost of \$1,010,000;

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

BE IT FURTHER RESOLVED, the governing body/board resolves that:

1. The Mayor and Council resolves that Tracy Kallert or the successor to the office of Mayor is hereby authorized to:
 - (a) make application for such a loan and/or such a grant,
 - (b) provide additional application information and furnish such documents as may be required, and
 - (c) act as the authorized correspondent of the above-named applicant; and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$252,500;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. this resolution shall take effect immediately.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-089**

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. through L., be and 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
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R24-090**

**MOTIONED BY:
SECONDED BY:**

ADOPTION TO ORDINANCE 24-05

AN ORDINANCE OF THE BOROUGH OF WOODLAND PARK AMENDING AND SUPPLEMENTING CHAPTER 22, "ZONING", SECTION 22-3 "DEFINITIONS", SECTION 22-4.1 "ZONE DISTRICT", SECTION 22-4.2 "ZONING MAP", "SECTION 22-4.4 "SCHEDULE OF PERMITTED USES", SECTION 22-4.5 "SCHEDULE OF BULK ZONING REQUIREMENTS", SECTION 22-4.6 "SCHEDULE OF PARKING REQUIREMENTS", AND SECTION 22-22 "RESERVED" TO CREATE A NEW RESIDENCE I DISTRICT (INCLUSIONARY MULTI-FAMILY RESIDENTIAL)

WHEREAS, the Borough of Woodland Park, County of Passaic, State of New Jersey, desires to adopt an ordinance entitled **3 AN ORDINANCE OF THE BOROUGH OF WOODLAND PARK AMENDING AND SUPPLEMENTING CHAPTER 22, "ZONING", SECTION 22-3 "DEFINITIONS", SECTION 22-4.1 "ZONE DISTRICT", SECTION 22-4.2 "ZONING MAP", "SECTION 22-4.4 "SCHEDULE OF PERMITTED USES", SECTION 22-4.5 "SCHEDULE OF BULK ZONING REQUIREMENTS", SECTION 22-4.6 "SCHEDULE OF PARKING REQUIREMENTS", AND SECTION 22-22 "RESERVED" TO CREATE A NEW RESIDENCE I DISTRICT (INCLUSIONARY MULTI-FAMILY RESIDENTIAL)** ; and

WHEREAS, notice of introduction and passage on first reading was published in the Herald News dated February 21, 2024 setting the date of March 6, 2024 or soon thereafter 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 March 6, 2024 at the regularly scheduled meeting of the Mayor and Council;

NOW, THEREFORE BE IT RESOLVED, that ordinance **AN ORDINANCE OF THE BOROUGH OF WOODLAND PARK AMENDING AND SUPPLEMENTING CHAPTER 22, "ZONING", SECTION 22-3 "DEFINITIONS", SECTION 22-4.1 "ZONE DISTRICT", SECTION 22-4.2 "ZONING MAP", "SECTION 22-4.4 "SCHEDULE OF PERMITTED USES", SECTION 22-4.5 "SCHEDULE OF BULK ZONING REQUIREMENTS", SECTION 22-4.6 "SCHEDULE OF PARKING REQUIREMENTS", AND SECTION 22-22 "RESERVED" TO CREATE A NEW RESIDENCE I DISTRICT (INCLUSIONARY MULTI-FAMILY RESIDENTIAL)** be and is hereby adopted as having been approved on second and final reading, and the Municipal Clerk is hereby authorized and directed to publish said Ordinances according to law.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Arnau					Sica				
Chaabane					Tiseo				
DeCesare					Mayor Kallert				
Gatti									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 6th day of March, 2024. Signed and sealed before me.

March 6, 2024

Sandra Olivola, Municipal Clerk

Dated

**BOROUGH OF WOODLAND PARK
ORDINANCE NO. 24-05**

AN ORDINANCE OF THE BOROUGH OF WOODLAND PARK AMENDING AND SUPPLEMENTING CHAPTER 22, “ZONING”, SECTION 22-3 “DEFINITIONS”, SECTION 22-4.1 “ZONE DISTRICT”, SECTION 22-4.2 “ZONING MAP”, “SECTION 22-4.4 “SCHEDULE OF PERMITTED USES”, SECTION 22-4.5 “SCHEDULE OF BULK ZONING REQUIREMENTS”, SECTION 22-4.6 “SCHEDULE OF PARKING REQUIREMENTS”, AND SECTION 22-22 “RESERVED” TO CREATE A NEW RESIDENCE I DISTRICT (INCLUSIONARY MULTI-FAMILY RESIDENTIAL)

WHEREAS, the New Jersey Supreme Court in *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015)*, found that the Council on Affordable Housing (“COAH”) administrative process had become non-functioning and as a result, returned primary jurisdiction over affordable housing matters to the trial courts; and

WHEREAS, in doing so, the New Jersey Supreme Court established a transitional process for municipalities, like the Borough of Woodland Park (the “Borough”), that participated in the administrative process before COAH, to file a declaratory judgment action with the trial court seeking to declare their Housing Elements and Fair Share Plans as being constitutionally compliant and seeking similar protections to those that the participating municipalities would have received if they had continued to proceed before COAH; and

WHEREAS, the Borough seeks to create the realistic opportunity for the creation of affordable housing through inclusionary development; and

WHEREAS, the Borough has determined that Block 85, Lots 7.01, 7.02 and 13.01 are appropriate to be rezoned to permit inclusionary development; and

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

SECTION 1. Chapter 22, “Zoning”, Section 22-3, “Definitions”, is hereby amended to insert the following definition alphabetically:

TOWNHOUSE, STACKED

A single-family dwelling unit constructed in a group of three (3) or more attached units in which each unit has its own access to the outside, and each unit is separated from any other unit by one or more vertical and horizontal common fire-resistant walls or other such common wall system as may be approved by the Borough Code Enforcement Officer.

SECTION 2. Chapter 22, “Zoning”, Section 22-4.1, “Zone District”, is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~:

The ~~2019~~ districts into which the Borough is divided are:

Insert the text Residence “I” District (Inclusionary Multi-Family Residential) between “Residence “H” Districts (Inclusionary Multi-Family Residential Districts)” and “Senior Citizen Residential Districts”.

SECTION 3. Chapter 22, “Zoning”, Section 22-4.2, “Zoning Map”, is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~. Moreover, the Zoning Map attached to the Chapter shall be replaced with the Zoning Map attached in Appendix A included in this Ordinance.

The Zoning Map of the Borough of Woodland Park prepared and submitted by Darlene Green, PP, AICP, of Colliers Engineering, dated January 2024~~December 2021~~, and appended hereto and incorporated herein by reference, be and is hereby approved and adopted, supplanting and replacing the Zoning Map adopted via Ordinance #22-03 of 2018.

SECTION 4. Chapter 22, “Zoning”, Section 22-4.4, “Schedule of Permitted Uses”, which includes Attachment 2, “Schedule of Permitted Uses”, is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~ as shown in Appendix B included in this Ordinance.

SECTION 5. Chapter 22, “Zoning”, Section 22-4.5, “Schedule of Bulk Zoning Requirements”, which includes Attachment 3, “Schedule of Bulk Zoning Requirements”, is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~ as shown in Appendix C included in this Ordinance.

SECTION 6. Chapter 22, “Zoning”, Section 22-4.6, “Schedule of Parking Requirements”, which includes Attachment 4, “Schedule of Parking Requirements”, is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~ as shown in Appendix D included in this Ordinance.

SECTION 7. Chapter 22, “Zoning”, Section 22-22 “(RESERVED)” is hereby amended and supplemented to add the following underlined text and remove text in ~~strikeout~~:

~~§22-22 (RESERVED)~~ R-I Residence “I” District (Inclusionary Multi-Family Residential)

- a. Objectives.
 1. To provide a realistic opportunity for inclusionary housing development.
- b. Uses. In the R-I Residence “I” District, no lot shall be used, and no building shall be erected, altered, or occupied for any purposes other than the following:
 1. Permitted Principal Uses. See the Schedule of Permitted Uses in Subsection 22-4.4.
 2. Permitted Accessory Uses. See the Schedule of Permitted Uses in Subsection 22-4.4.
- c. Bulk Regulations.
 1. Minimum lot area: 30 acres.
 2. Minimum tract setbacks:
 - (a) From an adjacent R-A or R-B District: 125 feet.
 - (b) From adjacent OSR District: 25 feet.
 - (c) From adjacent SCRD and R-H Districts as well as the City of Clifton: 50 feet.
 3. Minimum distance between principal buildings: 75 feet.
 4. Minimum distance between principal and accessory buildings: 25 feet.
 5. Dimensional requirements:
 - (a) Maximum townhouse and stacked townhouse length: 160 feet.
 - (b) Maximum multiple-family dwelling building length: 200 feet.
 - (c) Minimum building to off-street parking spaces: 10 feet. This standard does not apply to a façade that contains garage doors.
 6. Maximum building coverage: 40%
 7. Maximum lot coverage: 50%
 8. Maximum density: 12 units per acre.
 9. Maximum building height:
 - (a) Townhomes: 2.5 stories and 35 feet.
 - (b) Stacked townhomes and multi-family dwellings: 3 stories and 42 feet.
- d. Affordable Housing Requirements.

1. The R-I Residence District shall have an obligation to deed-restrict 20% of the units built as affordable units, regardless of tenure. Said units shall not be restricted to any type of household. The units shall meet the very-low, low-, and moderate-income split required by the Uniform Housing Affordability Controls and 13% of the required units shall be very-low-income as defined by the Fair Housing Act (30% of the region's median income).
 2. Affordable units shall be dispersed throughout the site and designed to be architecturally compatible with the market-rate units.
 3. The affordable units shall have at least a thirty-year deed restriction. Any such affordable units shall comply with Uniform Housing Affordability Controls, applicable COAH affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws.
 4. The units shall meet the bedroom distribution required by the Uniform Housing Affordability Controls.
 5. The developer/owner shall be responsible for retaining a qualified administrative agent, subject to the reasonable approval of the Mayor and Council to oversee the sales/rentals of the affordable housing units, at the developer's sole cost and expense.
 6. The affordable units shall be compliant with Chapter 34, Affordable Housing.
 7. All necessary steps shall be taken to make the affordable units provided creditworthy pursuant to applicable law for purposes of addressing the Borough's affordable housing obligation.
- e. Parking.
1. Off-street parking shall be subject to the requirements of Section 22-4.6.
 2. Parking spaces shall measure nine feet wide by 18 feet long.
 3. There shall be no parking of recreational vehicles, trailers, or boats.
 4. There shall be no overnight parking of commercial vehicles or vehicles that are 8,000 pounds or greater in size.
 5. Hairpin striping shall be utilized to delineate parking spaces.
- f. Tract Setback Buffer.
1. A buffer shall be maintained in all required tract setback areas. Within this buffer no existing tree shall be cut or removed unless the tree is diseased, dead, or necessary for the installation of driveways, streets, or utilities. The only improvements permitted in this area are driveways and streets for tract egress/ingress, illumination of driveways and streets, and utilities. Internal circulation driveways are not permitted within the tract setback buffer area unless they existed as of January 1, 2024.
 2. Buffer plantings shall consist of a combination of shade trees, evergreen trees, ornamental trees, and shrubs to provide a natural looking buffer, while providing a visual screen.
 3. Buffer plantings shall be a mixed planting and shall include the following:
 - (a) One shade tree for every 50 linear feet of buffer;
 - (b) One evergreen tree for every 25 linear feet of buffer; and
 - (c) Ten shrubs for every 50 linear feet of buffer.
 - (d) Existing shade and evergreen trees within the buffer area may be counted in fulfilling the required buffer planting.
 4. Buffer plants shall be the following sizes at the time of planting:
 - (a) Shade trees shall be planted at a minimum three-inch caliper and shall be a minimum of 12 feet in height, balled and burlapped.
 - (b) Evergreen trees shall be planted at a minimum height of six to eight feet, balled and burlapped.
 - (c) Shrubs shall be planted at a minimum height of 24 inches. However, a minimum of 50% of the shrubs shall be taller than 24 inches at installation. Additionally, 50% of shrubs shall be evergreen.

- (d) Shade trees shall be considered deciduous trees that mature to a height of 50 feet or greater. Evergreen trees shall be considered trees which mature to a height of 30 feet. Should narrower varieties of evergreens be proposed for buffer plantings, additional plants shall be required to achieve a visual screen.
5. No more than 25% of the plantings shall be of the same species and/or variety of plant.
6. Proposed buffer plantings shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows.
7. All buffer plants shall be deer resistant.
- g. Landscaping.
1. Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking areas, mitigate adverse visual impacts and enhance buffer areas. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. In determining the selection of plants, susceptibility to disease and insect damage, wind damage, habitat (wet-side, drought, sun, and shade tolerance), soil conditions, growth rate, maintenance requirements, etc., shall be considered.
2. Foundation plantings. The landscape plan shall include foundation plantings that provide an attractive visual setting for the development. These plantings shall include species that provide seasonal interest at varying heights to complement and provide pedestrian scale to the proposed architectural design of the buildings. The foundation planting shall incorporate evergreen shrubs and groups of small trees in order to provide human scale to the building facades and winter interest. Foundation plantings shall be planted along the front facades of all buildings and along/beside primary building access points.
3. Parking lot landscaping.
- (a) For every 25 surface parking spaces, there shall be one landscaped area, which may include the end caps, that is at least 162 square feet.
- (b) The landscape areas shall contain trees and/or shrubs.
- (c) Trees shall be planted at a minimum two and one-half-inch caliper.
- (d) Shrubs shall be planted at a minimum height of 24 inches.
4. Landscaping within sight triangles shall not exceed a mature height of 30 inches.
5. The landscape plan shall be prepared by a certified landscape architect certified by the New Jersey State Board of Landscape Architects.
6. Each application within the Residence "I" District shall be accompanied by a tree removal plan. The plan shall identify all trees six inches or greater dbh (diameter at breast height) to be removed.
- h. Open space. A minimum of 5% of the tract shall be open space for the use of the site's residents. This may be linear walking paths, passive spaces, active recreation areas, playgrounds or the like. The minimum open space area shall not include the required tract buffers.
- i. Signs.
1. The following types of signs are permitted in the Residence "I" District:
- (a) Monument signs.
- (1) One sign per street frontage is permitted.
- (2) The maximum sign area, excluding the base, shall be 20 square feet per side.
- (3) The maximum sign height shall be four feet above grade.
- (4) Monument signs shall be setback a minimum of 10 feet from any property line and located outside of any sight triangles.
- (5) Monument signs may be externally or internally illuminated.
- j. Architectural Standards.

1. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies and recesses shall be used to add architectural interest and variety and to relieve the visual effect of a simple, long wall.
2. The maximum spacing between building wall offsets shall be 30 feet.
3. The minimum projection or depth of any individual vertical offset shall not be less than one and one-half feet.
4. Roofline offsets, which include dormers and gables, shall be provided to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The maximum spacing between roof offsets shall be 40 feet.
5. The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent regarding style, materials, colors, and details.
6. Building facades shall consist of brick, stone, cast stone, vinyl, cementitious plank siding or other high-quality material.
7. Stucco is prohibited as the primary façade material for any building. However, stucco may be used as an accent material.
8. Gable and hipped roofs shall be used to the greatest extent possible. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one foot beyond the building wall. Flat roofs are permitted provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane.
9. Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned.
10. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
11. Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.
12. All rooftop mechanical equipment shall be screened from view.

k. Lighting.

1. Parking lot lighting shall be no more than 20 feet in height.
2. A minimum average of at least 0.5 footcandles shall be maintained within parking lots and over all pedestrian walkways.
3. Footcandles at the tract boundary shall not exceed 0.5 footcandle, except where there are entrance/exit driveways.
4. Parking lot fixtures shall be full cut-off.
5. Low-pressure sodium or mercury vapor lighting is prohibited.

l. Fences and walls. In addition to the requirements provided in §22-34.1, the following regulations shall also apply to fences and walls:

1. The use of retaining walls should be in the form of terraces to accommodate severe grade changes, rather than single, tall retaining walls. No individual retaining wall shall exceed a height of 10 feet. Where provided, retaining walls shall be screened with a variety of landscaping materials, in groupings, rather than utilizing hedges or uniform plant species and spacing. Retaining walls shall be offset from one another so the face of each retaining wall is no closer than five feet.
2. Where retaining walls are utilized, natural stone, interlocking masonry blocks, or concrete shall be the construction material. Wood retaining walls are prohibited.
3. Fences and walls shall not be located in any required sight triangles.
4. Fences or walls around trash receptacles or compactors may be a maximum of eight feet tall.

m. Trash.

1. Trash and recycling receptacles and compactors shall not be visible from any public street.
 2. All trash and recycling receptacles and compactors shall be screened by a solid fence or solid decorative masonry wall on three sides and heavy-duty gate closures on the fourth side.
 3. The trash and recycling enclosure shall be surrounded and screened on three sides by a mixture of deciduous and evergreen plant species.
- n. Access. Access to Weaseldrift Road shall be limited to emergency vehicles.
- o. Utilities. All utilities shall be underground.
- p. Off-tract improvements.
1. Off-tract improvements are required whenever an application for development requires the construction of off-tract improvements that are clearly, directly and substantially related to or necessitated by the proposed development. The Planning Board, as the case may be, shall require as a condition of final site plan or subdivision approval that the applicant provide for such off-tract improvements. Off-tract improvements shall include water, sanitary sewer, drainage, traffic signals, and street improvements, including such easements as are necessary or as may otherwise be permitted by law.
 2. Determination of cost. When off-tract improvements are required, the Borough Engineer shall calculate the cost of such improvements in accordance with the procedures for determining performance guaranty amounts in N.J.S.A. 50:55-D-53.4. Such costs may include, but not be limited to, any or all costs of planning, surveying, permit acquisition, design, specification, property and easement acquisition, bidding, construction, construction management, inspection, legal, traffic control and other common and necessary costs of the construction of improvements. The Borough Engineer shall also determine the percentage of off-tract improvements that are attributable to the applicant's development proposal and shall expeditiously report his findings to the board of jurisdiction and the applicant.
 3. Improvements required solely for the application's development. Where the need for an off-tract improvement is necessitated by the proposed development and no other property owners receive a special (i.e., more than incidental) benefit therefrom, or where no planned capital improvement by a governmental entity is contemplated, or the improvement is required to meet the minimum standard of the approving authority, the applicant shall be solely responsible for the cost and installation of the required off-tract improvements. The applicant shall elect to either install the off-tract improvements or pay the municipality for the cost of the installation of the required off-tract improvements.
 4. Improvements required for the applicant's development and benefiting others. Where the off-tract improvements would provide capacity in infrastructure in excess of the requirements in Subsection p(3) above, or address an existing deficiency, the applicant shall elect to either install the off-tract improvements, pay its pro rata share of the cost to the Borough, or pay more than its pro rata share of the cost to facilitate the construction of the improvement(s) and accept future reimbursement so as to reduce its payment to an amount equal to its pro rata share. If a developer elects to address the required off-tract improvement(s) by making a payment, such payment shall be made prior to the issuance of any building permit. If the applicant elects to install the off-tract improvements or to pay more than its pro rata share of the cost of the improvements, it shall be eligible for partial reimbursement of costs of providing such excess. The calculation of excess shall be based on an appropriate and recognized standard for the off-tract improvement being constructed, including but not limited to gallonage, cubic feet per second and number of vehicles. Nothing herein shall be construed to prevent a different standard from being agreed to by the applicant and the Borough Engineer. The process, procedures and calculation used in the determination of off-tract costs shall be memorialized in a developer's agreement to be reviewed and approved by the Borough Attorney, who may request advice and assistance from the Board Attorney. Future developers benefiting from the excess capacity provided or funded by the initial developer shall be assessed in their pro rata share of off-tract improvement cost based on the same calculation used in the initial calculation. Such future developers shall pay their assessment, plus a two-percent administration fee not to exceed \$2,000, to the Borough at the time of the signing of the final plat or final site plan as a condition precedent to such signing. The Borough shall forward the assessment payment to the initial developer, less any administration fee, within 90 days of such payment.

5. Performance guaranty. If the applicant elects to construct the improvements, the applicant shall be required to provide, as a condition of final approval, a performance guaranty for the off-tract improvements in accordance with N.J.S.A. 50:55D-53. All off-tract improvements are subject to the review and approval of the municipal engineer.
6. Certification of costs. Once the required off-tract improvements are installed and the performance bond released, the developer shall provide a certification to the Borough Engineer of the actual costs of the installation. The Borough Engineer shall review the certification of costs and shall either accept them, reject them, or conditionally accept them. In the review of costs, the Borough Engineer shall have the right to receive copies of invoices from the developer sufficient to substantiate the certification. Failure of the developer to provide such invoices within six months of the Borough Engineer's request shall constitute forfeiture of the right of future reimbursement for improvements that benefit others.
7. Time limit for reimbursement. Notwithstanding any other provisions to the contrary, no reimbursement for the construction of off-tract improvements providing excess capacity shall be made after 10 years has elapsed from the date of the acceptance of the certification of costs by the Borough Engineer.

SECTION 8. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Woodland Park, inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 9. If any section, paragraph, subsection, clause, or other provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 10. This ordinance shall take effect upon its passage and publication and filing with the Passaic County Planning Board, and as otherwise provided for by law.

ATTEST:

APPROVED:

Sandra Olivola, Municipal Clerk

Tracy Kallert, Mayor

Introduction: February 7, 2024

Adoption:

Appendix A

Appendix B

ZONING

x22 Attachment 2

Borough of Woodland Park

SCHEDULE OF PERMITTED USES

(Subsection 22-4.4)

[Amended 4-4-2018 by Ord. No. 18-06; 9-4-2019 by Ord. No. 19-11]

Zone	Permitted Uses	Conditional Uses*	Accessory Uses
R-A (1/2 acre)	<ul style="list-style-type: none"> • Single-family dwellings • Municipal buildings • Parks, playgrounds, recreational uses 	<ul style="list-style-type: none"> • House of worship • Home occupations • Rooming/boardinghouse • Satellite antenna 	<ul style="list-style-type: none"> • Incidental to single-family residential use • Solar panels
R-B (10,000 SF)	<ul style="list-style-type: none"> • Single-family dwellings • Parks, playgrounds, recreational uses • Municipal buildings 	<ul style="list-style-type: none"> • House of worship • Home occupations • Rooming/boardinghouse • Satellite Antenna 	<ul style="list-style-type: none"> • Incidental to single-family residential use • Solar panels
R-C (6,000 SF)	<ul style="list-style-type: none"> • Single-family dwellings • Parks, playgrounds, recreational uses • Municipal buildings 	<ul style="list-style-type: none"> • House of worship • Two-family dwellings • Home occupations • Rooming/boardinghouse • Satellite antenna 	<ul style="list-style-type: none"> • Incidental to single-family or two-family residential use • Solar panels
R-D (Garden Apt.) – 10 acres	<ul style="list-style-type: none"> • Garden apartments of 2 stories or less • Parks, playgrounds, recreational uses • Municipal buildings 	<ul style="list-style-type: none"> • House of worship • Home occupations • Rooming/boardinghouse • Satellite antenna 	<ul style="list-style-type: none"> • Solar panels
R-E (Townhouse) – 15 acres	<ul style="list-style-type: none"> • Townhouses • Single-family dwellings • Parks, playgrounds, recreational uses • Municipal buildings 	<ul style="list-style-type: none"> • House of worship • Solar panels • Home occupations • Rooming/boardinghouse • Satellite antenna 	
R-F (PRD - MF) (Inclusionary) – 15 acres	<ul style="list-style-type: none"> • Townhouses • Single-family dwellings • Parks, playgrounds, recreational uses • Municipal buildings 	<ul style="list-style-type: none"> • House of worship • Solar panels • Home occupations • Rooming/boardinghouse • Satellite antenna 	<ul style="list-style-type: none"> • Recreational uses serving the townhouse development
R-G (Adult 55+ MF) – 15 acres	<ul style="list-style-type: none"> • Attached and multifamily dwellings, such as townhouses, garden-style homes, and villas • Parks, playgrounds, recreational uses • Community center • Municipal buildings • Residential A or Residential B permitted uses 	<ul style="list-style-type: none"> • House of worship • Solar panels • Home occupations • Rooming/boardinghouse • Satellite antenna 	<ul style="list-style-type: none"> • Clubhouse or related structures used for exercise, athletic, and recreational facilities • Meeting rooms club rooms and other facilities for social activities • Homeowners' association offices • Swimming pool • Maintenance and equipment storage • Ancillary kitchen facilities

WOODLAND PARK CODE

Zone	Permitted Uses	Conditional Uses*	Accessory Uses
R-H (Inclusionary MF) – 5 acres	<ul style="list-style-type: none"> • Attached and multifamily dwellings, such as townhouses, garden-style homes, and villas 	<ul style="list-style-type: none"> • House of worship • Home occupations • Rooming/boardhouse 	<ul style="list-style-type: none"> • Clubhouse or related structures used for exercise, athletic, and recreational facilities • Meeting rooms, club rooms and other facilities for social activities • Homeowners' association offices • Swimming pool • Maintenance and equipment storage • Ancillary kitchen facilities • Maintenance, storage and utility facilities, inclusive of garages and communication equipment • Solar panels
<u>R-I (Inclusionary Multi-Family Residential)</u>	<ul style="list-style-type: none"> • <u>Multiple-family dwellings</u> • <u>Townhouses</u> • <u>Stacked townhouses</u> • <u>Public or private open space and recreation areas</u> 		<ul style="list-style-type: none"> • <u>Clubhouses</u> • <u>Common or centralized mailboxes</u> • <u>Fences and walls, including retaining walls</u> • <u>Gatehouse/guardhouse</u> • <u>Lounge, mail room, and similar residential amenities incorporated into a larger building design</u> • <u>Off-street surface parking and parking garages incorporated into the principal building design</u> • <u>Public and private utilities</u> • <u>Public or private recreational facilities, including, but not limited to, community pools, tennis courts, and playgrounds</u> • <u>Trash enclosures and compactors</u>
Senior Citizen District (55+) – 5 acres	<ul style="list-style-type: none"> • Multifamily dwellings for seniors 55+ 	<ul style="list-style-type: none"> • House of worship • Solar panels • Satellite antenna 	<ul style="list-style-type: none"> • Customarily incidental to primary use

ZONING

Zone	Permitted Uses	Conditional Uses*	Accessory Uses
CBD	<ul style="list-style-type: none"> • Art galleries and studios • Workshops for craftsmen with a retail component only • Banks (no drive-throughs) • Business, professional, and medical offices • Financial institutions • Multifamily residential above the first story of any structure in which the first floor is devoted to retail and/or service commercial use • Retail and service commercial uses, including spas, gyms, dry cleaners, tailors, retail florists, ice cream shops, coffee shops, educational uses, and drugstores • Recreational uses (karate, dance studio, etc.) • Movie theaters, concert halls and exhibition galleries, and other similar entertainment uses (requiring a license by the Borough) • Package liquor stores • Indoor farmers' market • Hotels • Sit-down or fast-casual restaurants (eating and drinking establishments) • Municipal buildings • Parks and playgrounds 	<ul style="list-style-type: none"> • Essential services • Child-care centers • Bowling alley • Skating rink • Outdoor dining, provided a 10-foot sidewalk or a courtyard is provided • Alcohol and drug rehabilitation centers • Advertising billboard signs • Outdoor farmers' market requiring a permit by the Borough • Home occupations • Satellite antenna 	<ul style="list-style-type: none"> • Off-street parking and loading facilities • Signs • Accessory storage within a fully enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises • Live entertainment to a restaurant use (requiring a license by the Borough) • Recreation facilities • Fences and walls • Other customary accessory uses and buildings which are clearly incidental to the principal uses and buildings permitted in this zone • Solar panels
NC Neighborhood Commercial (Local Commercial on Land Use Plan)	<ul style="list-style-type: none"> • General retail uses • Personal service uses • Restaurant – fast-casual • Restaurant – sit down, with bar • Restaurant – sit down, without bar • Restaurant, take-out • Convenience store • Professional business offices • Finance, real estate, and insurance services • Commercial schools • Child-care centers • Municipal buildings • Parks and playgrounds • Veterans and civic clubs 	<ul style="list-style-type: none"> • Satellite antenna • Convenience stores with gas stations 	<ul style="list-style-type: none"> • Solar panels

WOODLAND PARK CODE

Zone	Permitted Uses	Conditional Uses*	Accessory Uses
RGC Regional Commercial	<ul style="list-style-type: none"> • Hotels • Hotels with banquet facilities • Restaurant – fast-casual • Restaurant – sit down, with bar • Restaurant – sit down, without bar • Restaurant - take-out • Restaurant – fast-food, no drive-through • Restaurant – fast-food with drive through • Shopping centers • Furniture or major appliance store • Grocery stores • Building materials or home improvement store • Banks – with drive-through • Banks – no drive-through • Auto sales • Auto sales and repair • Car wash • Car wash with oil lube • Retail sales • Personal service uses • Tattoo parlors and body piercing establishments • Massage establishments 	<ul style="list-style-type: none"> • Satellite antenna • Adult entertainment • Convenience stores with gas stations 	<ul style="list-style-type: none"> • Solar panels
MO (Mid-Rise Office)	<ul style="list-style-type: none"> • Professional and medical offices • Hotels • Hotels with banquet facilities 	<ul style="list-style-type: none"> • Satellite antenna 	<ul style="list-style-type: none"> • Food sales accessory to the office use • Child-care centers accessory to the office use • Solar panels
HO (High Rise Office)	<ul style="list-style-type: none"> • Professional and medical offices • Hotels • Hotels with banquet facilities 	<ul style="list-style-type: none"> • Satellite antenna 	<ul style="list-style-type: none"> • Food sales accessory to the office use • Child-care centers accessory to office use • Solar panels

ZONING

Zone	Permitted Uses	Conditional Uses*	Accessory Uses
AIR - Adaptive Industrial Reuse Zone	<ul style="list-style-type: none"> • Light industrial and manufacturing uses within a fully enclosed building • Warehousing, except storage of highly combustible or explosive matter, or any other material deleterious to the health, safety, and welfare of the public • Art galleries and studios • Workshops for craftsmen with or without a wholesale component; if provided, showroom will not exceed 10% of the total square footage of the use • Business and professional offices • Recreational uses, including karate, gymnastics, specialized training centers for sports, dancing schools, and other similar uses, including indoor fields • Food co-ops and indoor farmers' markets • Spas and fitness facilities • Dog and cat grooming facilities • Auto detailing facilities • Commercial laundries • Self-storage • Skating rinks 	<ul style="list-style-type: none"> • Houses of worship • Satellite antenna • Veterans and civic clubs • Repair automotive uses 	<ul style="list-style-type: none"> • Off-street parking and loading facilities • Signs • Accessory storage within a fully enclosed permanent structure for materials, goods and supplies intended for sale or consumption on the premises • Cafes • Fences and walls • Other customary accessory uses and buildings which are clearly incidental to the principal uses and buildings permitted in this zone • Solar panels
OSR Open Space and Recreation Zone	<ul style="list-style-type: none"> • Parks • Open space • Recreational activities, including, but not limited to, ballfields, skating rinks, playgrounds, shuffleboard, etc. 		
MXD Mixed Use	See § 22-21 22		

Notes:

*See § 22-24 for regulations regarding conditional uses.

Appendix C

ZONING

22 Attachment 3

Borough of Woodland Park

SCHEDULE OF BULK ZONING REQUIREMENTS

(Subsection 22-4.5)

Zone	Lot Area	Lot Width	Lot Depth	Front Yard	Side Yard (one/both) Note 1	Rear Yard Note 1	Building Coverage	Lot Coverage	Building Height (ST/ FT) Note 2	Density	F.A.R.	Buffer
R-A	½ acre	100'	200'	35'	15'/30'	30% of depth, not less than 25'	35%	50%	2 ½ / 35'	N/A	N/A	N/A
R-B	10,000 SF	100'	100'	25'	5'/15'	30% of depth, not less than 25'	35%	50%	2 ½ / 35'	N/A	N/A	N/A
R-C	6,000 SF	60'	100'	20'	5'/15'	30% of depth, not less than 25'	40%	55%	2 ½ / 35'	N/A	N/A	N/A
R-D (Garden Apt.)	10 acres	200' (frontage on public street)	N/A	50'	50'	50'	20%	N/A	2 ½ / 35'	16 du/ac; 18 du/ac with 10% of total area for recreation	N/A	N/A
R-E (Townhouse)	15 acres	200' (frontage on public street)	N/A	50' (public street) 25' (private street)	35' to residential (average) 25' to residential (minimum)	35' to residential (average) 25' to residential (minimum)	20%	50%	2 ½ / 35'	7 du/ac	N/A	25' adjacent to residential
R-F (PRD)	15 acres	N/A	N/A	40' (public street) 25' (private street)	35'	35'	20%	50%	2 ½ / 35'	6 du/ac	N/A	25'
R-G (55+)	15 acres	N/A	N/A	40' (3 stories) 60' (4 stories)	N/A	40' (3 stories) 50' (4 stories)	30%	60%	4/ 60'	11.5 du/ac	N/A	25'

WOODLAND PARK CODE

Zone	Lot Area	Lot Width	Lot Depth	Front Yard	Side Yard (one/both) Note 1	Rear Yard Note 1	Building Coverage	Lot Coverage	Building Height (ST/ FT) Note 2	Density	F.A.R.	Buffer
R-H (Multi-family Inclusionary)	5 acres	N/A	N/A	40' (3 stories; townhouses) 60' (4 stories; apartments)	N/A	40' (3 stories) 50' (4 stories)	30%	60%	4 ½ ST / 60' (multi-family); 3 ST/ 40' townhouses, garden-style homes	20 du/ac	N/A	10'
<u>R-I (Inclusionary Multi-Family Residential)</u>	<u>See Section 22-22</u>											
Senior Citizen Multi-Family Housing	5 acres	200' frontage on public street		50'; 100' to existing residential	50'; 100' to existing residential	50'; 100' to existing residential	20%	40%	5 ST/ 75'	10 du/ac	N/A	15' along any residential property
CBD	N/A	N/A	N/A	0' minimum; 10' maximum	0' to non-residential use; 10' to residential use; 12' if access to parking in rear	0'; 10' buffer to residential use	50% minimum	75% minimum; 85% maximum; 100% if green building materials are used	3ST / 35'; 4 ST/ 45' if 4 th story setback 6' or greater	35 du/ac; 40 du/ac if affordable housing is provided	2.4; 2.65 if affordable housing is provided	N/A
NC Neighborhood Commercial	20,000 SF	N/A	N/A	15'	15'/30'	20' except for through lots	45%	80%	2 ST/35'	N/A	N/A	10' along any residential property or zone
RGC Regional Commercial	1 acre	N/A	N/A	60'	20'/40'	30' except for through lots	50%	90%	8 ST/96'	N/A	N/A	20' along any residential property
MO Mid-Rise Office	1 acre	N/A	N/A	60'	8'/20'; 15'/25' abutting residential zone	20' except for through lots	50%	75%	2 ½ ST/35'; 3 ST/40' with first floor parking	N/A	N/A	10' along all property lines

ZONING

Zone	Lot Area	Lot Width	Lot Depth	Front Yard	Side Yard (one/both) Note 1	Rear Yard Note 1	Building Coverage	Lot Coverage	Building Height (ST/ FT) Note 2	Density	F.A.R.	Buffer
HO High-Rise Office	6 acres	N/A	N/A	100'	100' / 200' from residential zone	100' / 200' from residential zone	40%	65%	12 ST/144'	N/A	N/A	100' along all property lines abutting other zones
AIR	.5 acres	N/A	N/A	20'	20'	30'	70%	85%	2 ST/35'	N/A	2.0	15' to R.O.W.
OSR	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
MXD*	See Section 22-2122											

Note 1: Nothing herein contained shall prevent the projection of an open fire escape or stairway into a rear or side yard for a distance not to exceed eight (8) feet.

Note 2: Nothing herein contained shall be interpreted to limit or restrict the height of a church spire, belfry, clock tower, elevator bulkhead, stage tower, scenery lift or similar structure.

Appendix D

ZONING

22 Attachment 4

Borough of Woodland Park
SCHEDULE OF PARKING REQUIREMENTS
 (Subsection 22-4.6)

LAND USE	PARKING REQUIREMENT
RESIDENTIAL *Minimum parking requirements must be met on site. Spaces must be provided for tenants and cannot be restricted for the use of the owner. (Ord. No. 2017-21)	
Single-Family	RSIS 2 bedroom – 1.5 spaces/unit 3 bedroom – 2.0 spaces/unit 4 bedroom – 2.5 spaces/unit* 5 bedroom – 3.0 spaces/unit * required if no # of bedrooms is specified
Two-Family	RSIS Same as single-family requirements
Multifamily Garden Apartment and Multiple-Family Dwellings	RSIS 1 bedroom – 1.8 spaces/unit 2 bedroom – 2.0 spaces/unit* 3 bedroom – 2.1 spaces/unit * required if no # of bedrooms is specified
Townhouse and Stacked Townhouse	RSIS 1 bedroom – 1.8 spaces/unit 2 bedroom – 2.3 spaces/unit* 3 bedroom – 2.4 spaces/unit * required if no # of bedrooms is specified
Mid-Rise Multi-Family	RSIS Same as Multifamily Garden Apartment Requirements
Assisted Living	RSIS .5 spaces/unit
Age-Restricted Housing	1.2 spaces/unit
CCRC/Assisted Living/Nursing Home	.5 space per bed (Nursing Home) .5 spaces per dwelling unit (Assisted Living) 1.3 spaces per dwelling unit (CCRC)
Active-Adult Multi-Family Community	RSIS
Hotels	Hotel – 1.2 spaces per room
BAR OR RESTAURANT	
Restaurant – Sit Down –without bar	1 space per 3 seats
Restaurant – Sit Down –with bar	1 space per 3 seats

WOODLAND PARK CODE

LAND USE	PARKING REQUIREMENT
Restaurant – Fast-Casual	1 space per 100 SF
Restaurant – Fast-food	1 space per 50 SF
Restaurant – Fast-food	1 space per 50 SF
Restaurant – Fast-food with drive-thru	1 space per 100 SF
Restaurant – take-out (no tables or chairs)	1 space per 90 SF
Banquet Hall/ Accessory Restaurant/ Catering Facility	1 space per 2.5 seats
RETAIL SERVICES	
Drug Stores – no drive thru	3 spaces per 1,000 SF GFA
Drug Stores – drive-thru	2 spaces per 1,000 SF GFA
Barber Shops	1 per 150 SF GFA
Shopping centers	1 space per 250 SF GFA
Retail Stores and Shops (include all retail uses except those specified in this table)	1 space per 250 SF GFA
Convenience Store	1 space per 333 SF GFA
Convenience store with gas	1 space per 125 SF GFA
Furniture or major appliance stores	1 space per 400 SF GFA
Service Establishments	1 space per 200 SF NET Floor Area
Grocery stores	1 space per 150 SF GFA
Building Materials or Home Improvement Store	1 space per 250 Sf of retail sales area
Banks – with drive-thru	1 space per 250 SF GFA
Banks – no drive-thru	1 space per 200 SF GFA
OFFICE	
Medical Office	1 space per 150 SF GFA
Office	1 space per 250 SF GFA
Mixed Medical and Professional Office* <small>*If office space undefined, this standard should be used</small>	1 space per 200 SF GFA
Finance, insurance, and real estate services	1 space per 250 SF GFA
RECREATION	
Theatres	Theatre/ less than 10 screens - .4 spaces per seat Theatre/ 10 screens or more - .2 spaces per seat
Community Center	1 space per 200 SF GFA
Municipal buildings, parks, and playgrounds	1 space per 300 SF GFA
Racquet Club	4 spaces per court

ZONING

LAND USE	PARKING REQUIREMENT
Sports Club/Health Spa/ Gym	1 per 200 SF GFA
Adult Entertainment	1 space per 2 persons based on occupancy determined by fire official
Skating rink	1 space per 180 SF GFA
Sports complex	40 spaces per field
Place of public assembly	1 per 5 seats or 1 per 50 SF, whichever is greater
Gymnastics, Dance, Martial Arts Studio	1 space per 200 SF GFA
Bowling Alley	5 spaces per lane
Billiard Establishment	2 spaces per billiard table
Mini-golf	1 space per hole
Driving range	1 space per each tee
AUTOMOBILES	
Motor Vehicle Service Stations	3 per bay, or 1 per gas pump and 1 per bay, whichever is greater
Auto repair	1 space per 200 SF GFA
Convenience Store with Gas	1 space per 125 SF GFA
Car Wash	1 space per 375 SF
Car Wash with detailing	1 space per 375 SF plus 1 space per detailing bay
Car Wash with Oil Lube	1 space per 375 SF plus 1 space per bay
Auto sales	1 space per 1,000 SF of sales area
Auto sales and repair	1 space per 1,000 SF of sales area plus 1 space per 200 SF GFA of repair area
INDUSTRIAL, COMMERCIAL MANUFACTURING	
Structures devoted to research or engineering study provided fabrication of materials incidental to the operation	1 per 300 SF GFA
Industrial and Manufacturing processes	1 space per 400 SF GFA
Warehousing	1 space per 1,000 SF GFA of storage area and 1 space per 650 SF of related office space
Public utility sub-stations or pumping stations	2 spaces
Workshops for craftsmen	1 per 500 SF GFA
Workshops for craftsmen with retail component	1 per 500 SF GFA of workspace plus 1 per 250 SF GFA for retail floor area
Self-storage	5 spaces near office Loading spaces integral into facility design

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RELIGIOUS AND EDUCATIONAL	
House of worship	1 space per 4 seats in sanctuary/ prayer room, plus the parking standard for other uses contained within (offices, classrooms, etc.)
Educational Uses	1 space per 300 SF of administrative or general office space + .5 space per enrolled day student
Commercial schools - Adult	1 space per teacher plus 1 space per adult
Child Care Center	1 space per staff member plus 1 drop off space per staff member (CBD)
Art gallery	3 spaces per 1,000 SF of GFA of exhibit area or gallery space
HEALTH CARE FACILITIES	
Adult Day Care Facilities	1 space per 6 participants, plus 1 space for each employee on the maximum shift
Hospital	2.5 spaces per 1,000 SF GFA
Clinic (same day; surgery, dialysis, etc.)	5 spaces per 1,000 SF GFA
Alcohol and drug rehab facility	1 space per staff member plus .5 space per bed
Funeral Home	one parking space for each 30 SF of NFA, plus one parking space for each employee of the funeral home