



**BOROUGH OF WOODCLIFF LAKE
MAYOR AND COUNCIL MINUTES
FEBRUARY 8, 2021
6:00 PM**

CALL TO ORDER

Notice of this meeting, in accordance with the "Open Public Meetings Law, 1975, C. "231", has been posted at the Borough Hall and two newspapers, The Record and The Ridgewood News, have been notified.

ROLL CALL

Mayor Rendo asked for a roll call. Council members Falanga, Hayes, Higgins, Marson and Schnoll were present. Borough Attorney John Schettino was present, as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Councilwoman Gadaleta arrived at 6:30 PM.

CLOSED SESSION

Resolution No. 21-56 A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

MOTION to approve Resolution No. 21-56 was made by Councilman Schnoll, second by Councilwoman Higgins and approved by Councilman Falanga, Councilwoman Higgins, Councilman Marson, Councilman Schnoll and Council President Hayes. Councilwoman Gadaleta arrived at 6:30 PM.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion to approve the Minutes of January 19, 2021 (Open) was made by Councilwoman Higgins, second by Councilman Schnoll and approved by Councilman Falanga, Councilwoman Gadaleta, Council President Hayes, Councilwoman Higgins, and Councilman Schnoll. Councilman Marson was not present for the vote.

Motion to approve the Minutes of January 19, 2021 (Closed) was made by Council President Hayes, second by Councilman Schnoll and approved by Councilman Falanga, Councilwoman Gadaleta, Council President Hayes, Councilwoman Higgins, and Councilman Schnoll. Councilman Marson was not present for the vote.

PUBLIC COMMENT

MOTION to open to the public was made by Councilwoman Gadaleta, second by Councilwoman Higgins and unanimously approved.

Dick Deutsch, Woodcliff Lake, asked if the Borough was doing anything to help the seniors to get the COVID vaccination. Mayor Rendo replied that he is working on a plan to get the vaccinations together with Park Ridge and Montvale. The issue is with the supply and demand. We have proposed the use of the Tice Center, but the State and the NJ Department of Health are the ones that pick the sites. Councilwoman Higgins stated that she just heard that CVS will be having the shot available on February 11, 2021. Mr. Deutsch also asked that the Mayor and Council re-examine having public session at the beginning of the meeting. Mayor Rendo replied that they have noticed that the meetings run smoother when the comments are at the beginning of the meeting. The Agenda goes out ahead of time which gives the residents time to read it over and ask questions during the public comment. We are following our By-Laws which states that public comment is to be held at the beginning of the meeting. Mr. Schettino reminded everyone that before an Ordinance is adopted, there is a public hearing and the audience has a chance to speak during the public comment portion of the public hearing for that Ordinance.

David Eisbrouch, Woodcliff Lake, stated that he has broached the subject with various Council members and the Mayor, and Administrator Padilla was giving him some information today on the history of pickleball courts possibly coming to Woodcliff Lake, about the possibility of constructing pickleball courts in our town to either lay over some of the existing tennis courts or be constructed nearby. He forwarded some photos of other parks. They play in Ridgewood, Wyckoff, Paramus and in Fort Lee. Last summer they played pretty regularly outside of Mr. Barcus' cul-de-sac. It is a sport that the whole family could enjoy and it's a very fast learning curve. You could play 8-10 months a year. He believes that this would be a great addition to Woodcliff Lake. Mayor Rendo stated that the Park and Recreation Committee is looking into it. Councilwoman Gadaleta stated that we had a matching grant that expired but we received news today that we were able to extend it. Administrator Padilla stated that the Finance Committee is speaking about this as part of our Capital Budget this year.

Gwenn Levine, Woodcliff Lake, stated that during the January 19th Mayor and Council meeting she asked why public comment was scheduled at the beginning of the meetings before residents are able to hear any discussion of the Agenda items rather than near the end of these meetings once the issues discussed by the Mayor and Council have been made clear. During the meeting Mayor Rendo responded to her comments but his explanation made no sense to her. Ms. Levine stated that she emailed the Mayor and Council her comments this morning. Ms. Levine asked the difference between an Ordinance and a Resolution. Ms. Levine asked why is funding of the

Master Plan tonight listed as an Ordinance and a Resolution as she doesn't know what the difference is. Mr. Schettino stated that the Ordinance for the Master Plan puts the funding in place in order to award the contract for the planner. The focus of the Ordinance is to spread out the cost over 5 years to cover the cost of the contract for the planner. If the Ordinance doesn't get adopted, then the Resolution cannot get adopted. If the Ordinance gets adopted, again that is only for the funding. The Resolution is for the actual appointment of the individual.

Cheryl Dispoto, Woodcliff Lake, stated that she has raised the point on the public comment at the beginning of the meeting since last fall and she heard residents complaining about it in December and in January. She would like a copy of the By-Laws and her suggestion is By-Laws can always be amended so if, in fact, they do require this format, the Mayor and Council should consider amending those By-Laws so that public comment can go towards the end of the meeting. With all due respect, this may be smoother for the Mayor, it is not smoother for the tax paying public. She suggests that somebody on the Council take charge of trying to amend the By-Laws to accommodate the public. Ms. Dispoto stated that many times residents have questions and comments after Mayor and Council have a discussion. Ms. Dispoto stated that she will not comment on the Master Plan since there will be a public hearing with a public comment period. Ms. Dispoto stated that she doesn't think we have had much success with Lenox Consulting. We spent a lot of money on that contract and they really did nothing for us. She does not understand why a town of 5,000 people needs a public relations consultant. As a taxpayer she thinks that we are wasting money when we should be tightening the belt. She has also heard very little updates on any major issues that have been going on in town like the Valley Chabad issue and BMW. Per Resolution No. 21-53, why are we rehiring a tax assessor whose contract is not up until June of this year and signing a 4-year deal. Ms. Dispoto stated in 2014 Mayor LaPaglia stood up and objected as to why we were hiring this tax assessor at nearly double for a part-time position. This tax assessor which we share with the Borough of Paramus collected nearly \$50,000 for over 7 years and now there is a reduction in rate. Ms. Dispoto stated she thinks we should look elsewhere since Mr. Anzevino has had some conflicts. Ms. Dispoto asked what a conflicts counsel is. Ms. Dispoto stated that we haven't had any updates in years regarding BMW. Mr. Schettino stated that the assessor that is presently employed is through an inter-local service agreement with Paramus and is not our employee but that of Paramus'. The Borough Administrator did a review and thought that we would save money by terminating that agreement and then hiring an assessor directly by the Mayor and Council. The assessor's employment by statute must be for 4 years. Even if the Council wanted to appoint the assessor for less than 4 years, they could not do so. After the first 4-year appointment, if the assessor receives a second appointment, then he or she would then have tenure. As to the salary for that position, it is the ballpark number. As to the files, he was not here at the time, but from reading the files that had nothing to do with the individual assessor. Apparently, there was some type of damage and the files were relocated and they were not brought back to the Borough's offices. Mr. Schettino stated that the BMW settlement was handled by Mr. Porro for several years. The settlement was already approved and was recommended by the Judge who heard the case, it was recommended by the attorney representing the Borough, it was recommended by the appraiser that we retained to provide an expert opinion, it was also recommended by our tax assessor and there were several significant benefits to enter into the settlement, and there was

significant exposure to the Borough not to agree with the settlement. Tonight, the resolution is to approve the payment schedule that was agreed to, which is one of the benefits of the settlement. When you litigate a tax settlement, if it goes to judgement, you are responsible to pay all the money at once and you are also responsible to pay interest on the payments. It is his understanding that the interest was waived and the payment schedule was more conducive to the Borough of not having a one-year impact on the taxpayers was also agreed to. Again, he didn't handle the case so he can't give more specific details than what he just provided, however the Council at the time that approved the settlement was provided with all the merits and all the benefits for approving the settlement and all the potential negatives of not approving the settlement. It was his recollection that the Council unanimously approved the settlement based upon the negatives and benefits. Administrator Padilla stated that Ms. Dispoto had a question relating to the Conflicts Counsel. That is a Resolution to have that represent us for BMW. Additionally, we have a letter from the State, where they investigated the issue about some missing paperwork, and they determined that there was nothing done wrong by the assessor. Mayor Rendo stated that each Council member received information regarding the public relations expert. We are going to pull that Resolution at the request of Councilwoman Higgins for further discussion.

Bert Taylor, Woodcliff Lake, stated that having been on Council for 6.5 years in Sussex County and had a 2 hour travel the Mayor and Council have an easy life here. The only problem is how you apportion your time. Over time you are spending 1-2 hours in closed meetings. You are discussing all of these things that no one hears, we will never see and never know what you're doing, then you get out of a long meeting and you come before the public and you spend an hour and you're anxious to get out of here. Mr. Taylor stated that the Mayor and Council work at the request of the public, not for your own time. Mr. Taylor stated that you are here for the public and not for your own convenience. If the By-Laws state that you must have public comment in the beginning, so you could decide if you want to change it and have more time for the public. Mr. Taylor stated that it is almost \$1 million to BMW, \$800,000 for the Chabad and now you're talking pickleball in town. When he wants to play pickleball or racquetball, he goes over to a court that is set up for him. He doesn't think it is right to ask the Town to add additional things. A council member said earlier that the tennis courts were so busy, but we are talking about taking 2 out of commission. Why would you want to take something that is busy and active and put in pickleball? We are now appropriating money for Master Plan, money for recycling and when are we going to say enough money is being spent. Mayor Rendo stated that the BMW monies does not come out of our operating budget. That has been budgeted and held in escrow over several years. We have budgeted over \$2.9 million as required by the court in the settlement.

Leslie Maltz, Woodcliff Lake, stated that there is a Resolution on the Agenda for the rates for the camp. How will it be decided this year if it is safe to open the pool and the camp? Is it based on proof of vaccination? She would like to see some sort of concrete criteria so that it doesn't seem to be a subjective answer. Councilwoman Higgins stated that we will be having a Board of Health meeting later this month and this will be brought up at this time. Mr. Taylor stated that something happened with his phone and he is sorry for what have might have come across.

Jenn Margolis, Woodcliff Lake, stated that this is her first time calling in and everyone has done a pretty good job during this pandemic. She wanted to complement our Borough Administrator and DPW chair for what they did with the recycling contract. She believes it is a wise move, saving us money and freeing up our staff to do the amazing snow removal that they've done recently. An amazing job was done with our leaf pickup and snow removal. Ms. Margolis stated that she has listened to the meetings in the last couple of months and has listened to some of the ways that some council members have spoken to each other. In these times and what is going on in the world, we should treat everyone with respect and listen to everyone's comments and concerns and really take that to heart as we move ahead and create a better community that we all live in. Our Borough hall is small but mighty and we should think about keeping some of the key people in place.

Alex Couto, Woodcliff Lake, thanked everyone for the hard work. Mr. Couto stated that the By-Laws should be adjusted to allow the public to make comments at the beginning and at the end of the meeting. Regarding BMW, could it be shared what BMW pays for town taxes. Regarding the funding of the Master Plan, does the Mayor and Council foresee that the Master Plan when approved, will 188 will more likely to have to comply to the town rules. As for the assessor, the Borough might look for one that does not have a conflict with 188 before giving a 4-year contract. Mayor Rendo replied that BMW pays a considerable amount of taxes to our Borough and without an impact to our school system. He does not have the numbers off the top of his head, but he is sure that Mr. Padilla will provide that by our next meeting. Administrator Padilla stated that if you go on the Borough website, taxes are public information, and anyone could look up any property. Administrator Padilla stated that he will supply Mr. Couto with the information.

Donna Abene, Woodcliff Lake, stated that she would like to piggyback on what Jenn said about stability and she believes the point she made was wonderful. She also would like to compliment Mr. Padilla and our DPW. The job that was done in this town with the snow that was dumped on us was outstanding. Please pass her words on to Chris and the guys. Regarding the BMW settlement, Ms. Abene was on the Council at that time. The settlement is sterling. We were in a heck of a pickle and BMW met us as the good neighbors that they are more than halfway and structured this deal so that we could get right with them without going bankrupt as a town. We really need to stop talking about it. It is over and done with. BMW is still here, thank heavens that they are still here.

MOTION to close to the public was made by Councilwoman Gadaleta, second by Councilman Schnoll and unanimously approved.

MAYOR'S REPORT

Mayor Rendo stated that last year we all had a very difficult year. COVID took a toll on our community, businesses closed, and our country was in turmoil. As a Council, we have an opportunity to work together as a unit to do great things for our Borough. We have some common causes that we need to work on and benefit our residents. Everyone that he has spoken to love our new co-mingling and recycling program. We heard our residents and we passed this program unanimously as a Council. It is a service that we provided to our residents. Yes, it might

cost a little bit more but look at the service it provides our residents. He believes that the cost of the service is minimal considering the benefits that it has derived. We've instituted a Recycling Coach application. He suggests that all the residents download Recycling Coach because it will tell you the latest and greatest news concerning DPW. The DPW has been stellar with snow removal and salting our roads. As we approach the spring, we look forward to the reopening of our camp and pool. Unfortunately, last year we had to close the pool and camp down due to COVID. However, a lot of our residents went to surrounding towns and they benefited from those towns. We need to provide that service to our residents following State guidelines for COVID. Always safety first. We have taken many measures to ensure the safety of our residents from closing pool, camp, ballfields, and Borough Hall and we intend to continue to protect our citizens. At the same time, we need to provide an outlet to our children and to our parents. He is hopeful that our summer camp and pool opens this year for the benefit for all. Mayor Rendo stated that he recently had conversations with our Borough Administrator and a representative from SUEZ. As you may have read in the newspaper, our walking trails around our reservoir are going to be a reality. We are continuing to work with our partners, SUEZ, and the State of New Jersey, to make this happen. Expect that to be open soon. We have accomplished all this by working together and we must continue to bring new ideas to the residents. We cannot continue to unilaterally act and not include our fellow Council members in important decisions. I have reiterated time and time again that we act as a Body not as individual members. If we continue to act as a Body, everyone benefits and our Borough benefits. Remember that your words have impact. They may create misunderstanding, but communication is the way to surpass that. If we continue to keep the lines of communication open, we will succeed as a Council. As every single Mayor has said to him, be passionate about your views, make a decision and take a vote. Once the vote is passed, work together to make that project work. It is a simple formula and if we abide by that formula, we will move this community forward. Mayor Rendo gave two examples of working together after very contentious votes were taken. One is Galaxy Gardens and the other one was the fireworks at Oktoberfest. Mayor Rendo's advice to the new Council members: Trust the process. Trust your colleagues. Trust your professionals and trust those that have elected you. Remember that we all want the best for Woodcliff Lake. Thank you and God bless you all.

ENGINEER'S REPORT

Evan Jacobs stated they are working with the DPW and the building department to get the dugout repaired at the baseball field. The building department needs some basic structural drawings to get the permit for the contractor. The work has been wrapped up at Galaxy Gardens. They are currently waiting for test results to come back. Results should be back within the next week or so. The anticipation is once the positive outcome results come back, in early of mid-March we should be able to close out the DEP's involvement in terms of clean-up of the site. The LSRP will attend the second March Mayor & Council meeting. They should have the results for all the testing then. There may be some activity between now in then since they will be putting back a well that they had to remove to do the remediation work.

The Borough received a grant for Winthrop Drive for improvements to Winthrop Drive. As Mr.

Jacobs mentioned at the last meeting, that grant is set to expire. To secure that grant, the Borough must award a contract for that work. Neglia needs to write a proposal for those services and can begin as soon as possible. The budget is scheduled to be adopted after the deadline for the grant, so we need to ask for an extension from the DOT. To do that, they would need some sort of a Resolution to request the extension. Administrator Padilla stated that Evan called him earlier in the day and he wanted Evan to report it to the full Council, but he was hoping that we could make a Motion and add it to the Agenda. Mr. Schettino suggested that after we get through the Resolutions on the Agenda, a Motion be made authorizing our Engineer to pursue the extension of the grant.

Mr. Jacobs stated you may see some more activity on Glen Road. They are working on surveying some property for the work on the bridge. On the Agenda today is an introduction to our Stormwater Control Ordinance. The State is requiring certain changes be made to every municipality that has a MS4 permit which Woodcliff Lake does to incorporate new strategy and regulations regarding stormwater management. This really affects the larger site plan development, not individual homes who are looking to put up a patio, shed or a pool.

Administrator Padilla stated that he will try and get Mr. Lerch on zoom for any Council members who may have a question regarding the Master Plan Ordinance. Council President Hayes stated that she has a couple of questions for Mr. Jacobs. Council President Hayes stated that she is happy to see the Stormwater Ordinance on the Agenda and asked if this is different than what we did a few months ago. Mr. Jacobs stated that last year there was approval for adoption of revised flood mapping. These regulations came out a year ago and are required to be adopted by March 3, 2021. Council President Hayes asked Mr. Jacobs what the biggest change is in this new regulation for stormwater control. Mr. Jacobs replied that some of the big changes have to do with stormwater quality, how we are treating stormwater and segregating what comes off a roof. Additionally, DEP is stressing greener infrastructure meaning don't just bury a filter box underground, so you never see it again. Try and incorporate above-ground features in a non-structural way. Council President Hayes asked Mr. Jacobs if we needed architectural plans for the dugout. We have the other dugout that is fine, and this is a duplicate of it. Mr. Jacobs stated that he was coordinating with the Construction Official and he indicated that they do need to issue a building permit because it is a structure that is occupiable, especially by children. There is that level of safety that is required and that the Code Official cannot sign off on a permit without a certain minimum level of drawing. They will not be redesigning the dugout. Administrator Padilla stated that this came from DCA and our Construction Official. Mr. Padilla stated that he already spoke with our Risk Manager as this was an accident, and most, if not all, is being covered through insurance. In addition, by having this done this way, it can be set up in the insurance system and give us some further protections. Council President Hayes stated that opening day for baseball/softball is in April, but they are trying to get on the fields for March for practice after a long winter. Ms. Hayes asked if this was possible. Administrator Padilla replied that more of a concern is not the dugout, but the geese.

Administrator Padilla stated that Mr. Lerch is now on zoom. He dropped off one meeting to come to our meeting. Mr. Padilla stated that he believes there are Council members that have

questions or comments regarding the emergency appropriation. Mayor Rendo stated that Mr. Lerch is our Borough Auditor.

Councilman Marson thanked Mr. Lerch for making the time but he believes his question is more legal based. He stated that he researched this issue extensively, including the new COVID emergency part of the statute, he looked for caselaw and found one very economically stressed area in New Jersey that invoked this 5-year emergency plan and he has a significant problem. He stated that he cannot find anything that leads him to believe that we are in any type of emergency that would lend us to use this 5-year emergency funding. He has suggested that we take this normal course of budgeting, perhaps over 2 years, but there seems to be objection that we must either adhere to this 5-year funding or nothing. His question is if you have evidence that there are other related 5-year type of emergencies that he can point to give us some guidance in our situation. Mr. Lerch replied that obviously the statute provides for the type of expenditure that we are contemplating. The design of the statute was to give municipalities the ability to spread the expense over a multiple year period. That really was the intent. Mr. Lerch stated that there is nothing in the law that says if you need to do a Master Plan, it must be funded over 5 years. If you want to avoid that, you can simply put it into the 2021 budget and go forward. Just factor the full cost of the Master Plan into your 2021 budget. The statute just provides you the ability to spread the cost over multiple years. Councilman Marson stated by reading the sentence that states preparation of Master Plan or Plans when required to conform to the planning laws of the state, you can't get more specific than that. It is very little wiggle room the way he reads those words. This does not seem to fit what we have in front of us. Mr. Lerch stated that it is an option for the Governing Body. You can put it all into one year and you could treat it as a regular operating budget item if you would like since we are about to start the 2021 budget or the statute will allow you to go through this other mechanism and they will allow you to pay for it over a 5-year period. The third option is to do the Master Plan in accordance with the 5-year statute, but budget it over 2 years. Mr. Lerch reiterated that the statute specifically allows for this type of expense under what they categorize as a special emergency over multiple year funding. Councilman Marson stated that one way or the other we should be able ultimately effectively find it. His problem is the basic sentence that reads when required to conform to the planning laws. So, the flexibility that he sees under the special emergency bears no resemblance required to conform to the planning laws.

Councilwoman Higgins asked if we could set aside the Ordinance and have a Resolution to pay it over 2 years instead of the 5 years. Mr. Schettino replied that you would still have to use the Ordinance. Once you fund it through the emergency Ordinance, you can pay it off in less, but you still must do it through the Ordinance. Mr. Lerch stated that Mr. Schettino is correct. Mr. Schettino stated that you could fund it all in this year's budget or spread the cost out over 5 years. Councilwoman Higgins asked if we really need this Ordinance or could we put through our own Resolution that states 5 years. Mr. Schettino replied that the only way to spread the cost out over more than 1 year is through this Ordinance. Councilwoman Higgins stated to Mr. Lerch when she was Mayor, they did a Re-evaluation and they spread the cost over 5 years and was wondering if they used the word emergency. Mr. Lerch replied that Councilwoman Higgins is correct, and it is just a play on words. Mr. Lerch stated that these costs are not a routine

operating expense so they legislature realized this, and they wanted to give municipalities the ability to spread these non-reoccurring expenses over multiple years. That was the intent.

Councilwoman Gadaleta asked Mr. Lerch how long he has been the auditor for the town. Councilwoman Higgins replied since 1996. Councilwoman Gadaleta stated that based on that and knowing the town and our makeup and trying to keep our budget in line and our taxes as low as possible, what would your suggestion be for the town. Mr. Lerch replied that if you go down the route that you are contemplating right now, you leave every option available to you.

ADMINISTRATOR'S REPORT

Administrator Padilla stated that our storm last week was something. Chris and his men did a fantastic job. The residents were patient and cooperative since we had to move a couple of the garbage collections. When roads are this bad, which means driveways are very snow covered and icy, that is why we ask everyone to put your garbage at the curb. It is a safety issue. Normally there is no parking on the street during the night. Especially when it snows, please do not park your cars on the street. This week is paper and cardboard. Please sign up for our alerts.

COUNCIL MEMBERS COMMENTS/REPORTS

Councilman Schnoll stated that he wanted to give a brief update on two legal items facing the town. Just a follow-up on the BMW issue, the settlement which was approved in 2014 was ultimately objected to so we didn't have to make payments for 2015, 2016, 2017 and 2018 in which we agreed to, they were actually deferred during the litigation. We got the benefit of without any type of interest or anything else and not having to pay until now. The settlement that we agreed to in 2014, without making any payments until 2021, the money has been escrowed so it is not going to cost anybody anything additional this year or next year in terms of taxes. Secondly, a number of years ago we started a process to try and change the school funding formula because Woodcliff Lake effectively pays double per student of the other 3 towns in the high school district because we have the highest equalized values and the smallest amount of students. At one time when the school districts were formed it was based on a per student basis. In 1997 or somewhere around there, Trenton changed the formula to make it on the equalized value thing. We started the process and went through various scenarios, we were trying to get Montvale to agree with us, they did for a period of time and backed out, and subsequently some decisions came down from the Appellate Division which harmed our ability to go forward and faded away. Councilman Schnoll had a conversation with Mr. Gagliardi, our counsel on that project, and there is some potential legislation coming down which we believe will pass which may make it very beneficial for Woodcliff Lake to potentially agree to form its own district with Montvale as a regional district. He doesn't know if Montvale will agree and he does not know the particulars of the legislation, but Mr. Gagliardi will follow up with him next week after he has had a chance to review the pending litigation. It might be a scenario where we could revisit this issue and potentially save a lot of money.

Councilwoman Gadaleta stated that the fire department had 25 calls since January. They would

like to remind everyone that they need to clear their fire hydrants. In some of the other towns, there are Ordinances requiring homeowners to clear their hydrants. Our fire department cleared 110 fire hydrants around town. If someone is elderly, handicapped or needs help they will do it, but they are asking that all residents please clear the fire hydrants. Maybe we should consider creating an Ordinance.

Councilman Falanga stated that the pool shell renovation is complete, and the pool is covered. We are getting new features for the pool which should be in by mid- April. We are currently working on revising pool membership categories. There were too many in the past to choose from. We are also considering revising the rates for the memberships to be more consistent and see what other municipalities are charging. We hope to have camp, pool, and tennis registration up and running some time in March. There is a Resolution on the Consent Agenda tonight to approve the rates for camp. We have been receiving calls about this already, so we are trying to get out ahead of it. Anything that the town does with camp or pool will be in strict compliance with the Governor's Executive Orders and any COVID related requirements. We will not be having the Springfest this year and we are hopeful to have the Oktoberfest in the fall.

Administrator Padilla stated that our seniors are continuing with their aerobic classes through zoom. Marilyn Clark has coordinated that. The Council should have received a draft of the new resident packet. Please look at it and give us your feedback.

Councilman Marson stated that regarding budget and finance, Mr. Falanga and himself have taken a couple of first passes at major expenses what they believe are necessary and then those that could be put off. It is a big task but sometimes you have to say no during the budget process. They hope to have a draft by the end of the week that they could begin the process of going through first pass of the budget. That would coordinate with the capital items, and hopefully provide an understanding of either a tax increase or bonding.

Council President Hayes thanked Councilman Schnoll for his update on the funding formula. Council President Hayes also thanked Councilman Falanga for the Park and Recreation update. She had some experience with her daughter lifeguarding at a pool last summer which was very successful, so she is hoping that we do open our pool this year. In terms of the camp numbers, she would like to learn a little more about it. Council President Hayes asked Councilman Falanga if he knew how much interest was in the camp right now. Councilman Falanga stated that there were a few emails and phone calls. From what he is told there is a significant interest. Administrator Padilla stated that there were several emails and some posts through Facebook. Council President Hayes stated that she also received 2 text messages from residents in the Englewood area. Regarding the baseball dugout, Council President Hayes asked that this be pushed so that it is hopefully ready for when practice begins. Council President Hayes stated that she listened to the Fairness Hearing on zoom regarding 78 Woodcliff Lake Road, Saddle River. Council President Hayes stated that she learned a lot and thanked Mr. Schettino for helping with that and everyone on the Council for continuing to pay attention to that issue.

Councilwoman Higgins stated that she had the Shade Tree Committee meeting today and Arbor

Day is April 30th. Because of COVID it will not be at the school. There is also a memorial tree program that is being started. Councilwoman Higgins stated that she would like to pull the Resolution regarding the tax assessor. She did not realize that it was a 4-year term. Councilwoman Higgins stated that she received some calls that the Resolution for the BMW payment should be pulled. Councilwoman Higgins stated that the Resolution cannot be pulled as reasons stated earlier. We agreed to this settlement and we must start making the payments. Councilwoman Higgins stated that the DPW did a great job with plowing the streets. Councilwoman Higgins asked the Mayor if he wants to speak about Saddle River Road. Mayor Rendo stated that the Borough was approached by the owners of two properties on Saddle River Road that he is willing to sell his properties to the municipality at the assessed value. Mayor Rendo stated that the properties lead into the Department of Public Works from Saddle River Road. That would lessen the traffic on Werimus to go into the Old Mill and at the same time allow us to reconfigure the Old Mill to change it to just parking for the pool and the ballfields. Councilwoman Higgins stated that the Mayor and Council should speak about this. Councilman Marson asked if it was possible, if it were appropriate to sell the property near the Apostolic Church, and if the pricing was right to apply those funds to perhaps acquire those properties. Mayor Rendo replied that everything is on the table. Councilman Falanga stated that the longer-term benefits to the Borough could be very significant because you could close off where we currently have the pool and the fields with the recycling center there and make that parking and really make that more beautiful and put the other part on the other side. This could be transformative for the town. Councilwoman Gadaleta asked how much we are talking here and if it could be spoken about in public. Councilwoman Higgins stated that we should speak about it in closed session. Mayor Rendo stated that this is negotiations and should be done in closed session. Council President Hayes stated that the assessed values are public information so Councilwoman Gadaleta could go onto the website and look it up. Mayor Rendo stated that there is a creek there so we need to have our engineer look for any environmental impacts or any restrictions that we might have from the DEP. We need to do our due diligence before we proceed with the owner. Mr. Schettino stated that the Council may want to authorize a phase 1 study. Council President Hayes stated that there is a C1 waterway there and she likes Councilman Marson's suggestion regarding the other piece of property that the Borough owns. Councilwoman Gadaleta asked Councilwoman Higgins if she heard correct that she wants to pull the tax assessor resolution because it is a 4-year term. Councilwoman Higgins replied yes, and he also is here until the end of June, so we have time. Councilman Marson stated that we should be examining other options just in the course of normal business. Councilwoman Gadaleta stated that she wanted to clarify with Mr. Schettino that she heard him or someone else say that 4 years is the statute for that position. Mr. Schettino stated that it was correct. Councilwoman Gadaleta stated that we shouldn't be pulling it because of the 4-year term, and we will have a tax assessor through June. Administrator Padilla stated that our contract with Paramus runs through June. Mr. Schettino stated that we don't wait to June to do a Resolution and that he would suggest that we make a decision on this, at the latest, the first meeting in May because there is a lot of review work that has to be done and that the June period is right in the middle of when the tax appeals are being heard before the County Tax Board. You want whoever is in place there to be prepared for the appeals that are filed and will be heard during that time period. Mayor Rendo asked if there was an automatic renewal period if we don't cancel before that time.

Administrator Padilla stated that he sent Paramus a letter telling them that we wish to cancel it. Administrator Padilla asked Mr. Schettino when appeals must be filed. Mr. Schettino replied April 1, 2021. Mr. Padilla asked if April would be the more appropriate time to have a Resolution. Mr. Schettino stated that if the Council was able to do it before the April meeting it would be even better because whoever the assessor is in place in April would be handling all the appeals through their conclusion. If you replace the assessor in May or June, you will have someone who must do a lot of catch up work.

Mr. Schettino stated that there is a lot of interest in the community regarding 78 Woodcliff Lake Road, Saddle River and certainly a lot of interest from the Mayor and Council regarding the status of the appeal and several of the Mayor and Council members have asked him to provide an update for the residents this evening. The Fairness and Compliance hearing is taking place right now, typically a determination as to fairness is done separately from compliance. Saddle River had requested that both procedures be conducted simultaneously which the court approved. Saddle River has presented its entire case with respect to the sites for affordable housing and their affordable housing plan and how they intend to meet their obligations with respect to the number of units that they are required to provide through the next certification round. They still have an opportunity to have rebuttal witnesses. At this point in time, one of the objectors on the other side presented their witnesses and with respect to 78 Woodcliff Lake Road, the objector's attorney on that side has presented 3 of their 4 witnesses. Their last witness is scheduled to testify this Wednesday at 10:00 AM which he believes will be their final witness. There are a couple of issues that have arisen. First, the court has refused to allow any testimony as to whether any sites in Saddle River are more suitable than the sites selected, including 78 Woodcliff Lake Road. The objectors feel that that would be an appealable issue based upon the Judge's refusal to allow testimony with respect to other sites. Another concern at the last hearing, the traffic engineer testified on behalf of the objector, and during his cross examination testified that the site at 78 Woodcliff Lake Road would not be a safe site for ingress and egress for traffic and for children who may live at the site for different reasons, including the lack of a sidewalk, its distance from the center of town and the bend in the road and testified that to make the site safe he believed it would be necessary to open up Apple Ridge Road from the site, not necessarily from Woodcliff Lake Road, for access for emergency vehicles. That is not part of the plan. Saddle River has not put that forward as part of the plan and it is not presently before the court to decide as to whether Apple Ridge Road should be opened. That of course does not prevent Saddle River, when the plan is presented before its Planning Board, for there to be a determination that Apple Ridge would need to be opened. The Mayor and Council have unanimously agreed that they would oppose any opening of Apple Ridge Road whether it was from Woodcliff Lake Road or from the site itself onto Apple Ridge Road. At this point we feel that the caselaw would favor our position as the roadway is in Woodcliff Lake and therefore local rule would take precedent over Saddle River's need to open the road. Of course, that is arguable, and anything can be litigated if in fact we went in that direction. A second issue that has come up and the Mayor and Council have authorized Mr. Schettino to oppose is Saddle River seeking to utilize our sewer system for the site without establishing the necessary criteria to do so. We will be opposing their attempts to do so until in fact they satisfy the criteria that the caselaw says that they must satisfy in order to tie into our system. One of the criteria that we hope to take

advantage of in determining whether they should be permitted to tie into our sewer system isv whether other sites are more suitable that would not require a tie into the Woodcliff Lake sewer system. The third issue that has come up that Mr. Schettino has been authorized to pursue is that Saddle River has adopted an Ordinance specifically with respect to the development of 78 Woodcliff Lake Road to allow for the density that is significantly higher than what is in the neighborhood and what was permitted by their prior Ordinance. He has been authorized by the Governing Body to challenge the validity of that Ordinance by filing a separate action. Ms. Torres, the adjacent property owner, is also in the process of challenging that zoning Ordinance. We still have 3 avenues that we are pursuing with respect to the density that is being proposed for 78 Woodcliff Lake Road and at this point in time the Governing Body is in full agreement with the efforts to go forward to protect, to the extent that they can, the character of the neighborhood in Woodcliff Lake and to the extent that we can the impact of any development on 78 Woodcliff Lake Road.

Council President Hayes asked the question as to the order of the roll call for Council President. Administrator Padilla replied that Council President goes last. Council President Hayes stated that the Agenda that she has her name is in the middle. Administrator Padilla stated that he will make sure she is called last.

ORDINANCES

Public Hearing Ordinance No. 21-03
 An Ordinance Authorizing a Special Emergency Appropriation for Funding
 of the Borough's Master Plan – N.J.S. 40A:4-53(D)

MOTION to adopt Ordinance No. 21-03 was made by Councilwoman Higgins, second by Councilwoman Gadaleta.

MOTION to open to the public was made to Councilwoman Gadaleta, second by Councilman Falanga and unanimously approved.

Gwenn Levine, Woodcliff Lake, stated that prior to voting on Ordinance 21-03, would the Council first pass a Resolution requiring the Master Plan, if it is funded, to preserve the single-family residential nature of the eastside. At the January Mayor and Council meeting, Mr. Schettino explained that a Resolution like this can be considered by the Council. This way the Master Plan that would proceed if it funded would protect the eastside which is something that a lot of residents are concerned about.

Alex Couto, Woodcliff Lake, stated that he seconds Ms. Levine's comment. He recommends that if we are going to open the Master Plan which we probably should do to protect the whole town that the status of the town where single-home residences are preferable should be highlighted so that the planner could use that when he does the Master Plan.

MOTION to close to the public was made to Councilwoman Gadaleta, second by Councilman

Marson and unanimously approved.

ROLL CALL:

Ayes: Falanga, Gadaleta, Higgins, Schnoll, Hayes

Nays: Marson

Abstain: None

Absent: None

Introduction Ordinance No. 21-04
An Ordinance to Amend Chapter 380 Entitled "Zoning" of the Borough
Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to introduce Ordinance No. 21-04 was made by Councilwoman Higgins, second by Councilman Schnoll and unanimously approved.

Introduction Ordinance No. 21-05
An Ordinance to Amend Chapter 320 Entitled "Stormwater Control" of
the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to introduce Ordinance No. 21-05 was made by Councilwoman Higgins, second by Councilman Schnoll and unanimously approved.

CONSENT AGENDA

Councilman Marson stated that the even though he understands the nature of the BMW settlement and what we are required to do, but what is missing is the payment and the year we are paying with specificity. There is nothing in this Resolution that indicates what we are paying, how much we are paying, and what year. Councilwoman Higgins stated that it should say the payment date and the amount. Councilman Marson also stated that regarding Ordinance 21-01 he was supposed to get part-time ranges for employees and he never received them. Councilwoman Higgins stated that she left her comments regarding that Ordinance. Councilman Marson stated that we had full-time ranges and he was supposed to get ranges for part-time for all the positions. Administrator Padilla stated that this is the first he is hearing about this. Mr. Padilla stated that Councilwoman Higgins was in Borough Hall and they went over all the line items. Mr. Padilla stated that he is waiting for direction from the Council as to what positions they want part-time ranges for and maybe tomorrow during the zoom meeting for Personnel/ Finance it could be discussed. Mr. Padilla asked if we could finish this first and then go back to that item. Councilman Marson stated that his points go back to in these Resolutions we are now approving a series of professional service agreements with attorneys and other professionals. He is tying this back to his original request of Ordinance No. 21-01 to give him the part-time ranges for every position and that is all. There was a very specific reason that he wanted to do that. In the odd case that any of these positions fall under a part-time range, he wants the flexibility as part of the budget process. Mr. Padilla stated that he doesn't understand what that has to do with the Resolutions we have now, and he was never directed to do it. We never had part-time

ranges. Whatever we had you have. If you want to create new ones, you are certainly entitled to do so. If you want to make new ones up, that's fine but he doesn't understand how that relates to the Consent Agenda we are talking about right now. Council President Hayes stated that she believes Tom is correct that it doesn't relate to this Consent Agenda, but she thinks that Mr. Marson is referring to is that at the last meeting, the Council asked for part-time figures. Mr. Padilla stated that he does not know which positions you want part-time ranges for. That needs to come from Council as to what you want to do, and he was waiting for that. The only person that came in and handed us something was Councilwoman Higgins. I specifically didn't put it on tonight because I was waiting for any other responses. Council President Hayes stated that her understanding was that Mr. Padilla was going to put a draft together. Mr. Padilla replied that he doesn't know how he was going to do a draft when he doesn't know which positions to do it for.

MOTION to approve the Consent Agenda was made by Councilwoman Gadaleta, second by Councilwoman Higgins and unanimously approved.

MOTION to table Resolution No. 21-53 and Resolution No. 21-55 was made by Councilman Marson, second by Councilman Schnoll.

ROLL CALL:

Ayes: Falanga, Higgins, Marson, Schnoll, Hayes

Nays: Gadaleta

Abstain: None

Absent: None

NON-CONSENT AGENDA

Councilman Schnoll stated that his recollection what that Mr. Preiss was going to be charging the town \$45,000.00 payable over 5 years and yet the Ordinance was for \$50,000.00 payable over 5 years at \$10,000.00 per year. Why is there that discrepancy? Mr. Padilla replied that it is his understanding that his scope of work indicated approximately \$45,000.00. In case anything changed, it gives us a little wiggle room. We would not be charged if it is not necessary.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson				X		
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING SPECIAL EMERGENCY APPROPRIATION FOR THE MASTER PLAN

**RESOLUTION NO. 21-57
FEBRUARY 8, 2021**

WHEREAS, an ordinance has been approved creating a Special Emergency Appropriation of \$50,000 to meet certain extraordinary expenses incurred, or to be incurred, for the implementation of the Borough's Master Plan; and

WHEREAS, NJS40A:4-53 and -55 provide that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

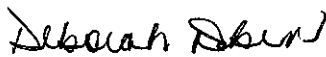
1. A special emergency appropriation is hereby made for the *Master Plan* in the total amount of \$50,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding five (5) years by the inclusion of not less than \$10,000.
3. That a "special emergency note", not in excess of the amount authorized pursuant to law, may be provided.
4. The Mayor and Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

5. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.
6. That said notes, if provided, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

This resolution shall take effect immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION APPROVING REVIEW OF MASTER PLAN RESOLUTION NO. 21-58 FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake completed a Re-Examination of its Master Plan in 2019; and

WHEREAS, the re-examination report did not address several issues in the Borough with respect to land use including but not limited to, affordable housing, Broadway and Chestnut Ridge/Tice Boulevard corridors, properties

in need of redevelopment, large office complexes, constitutional issues relating to religious land uses nor any zoning ordinance changes; and

WHEREAS, in order to address the land use issues in the Borough and encourage certain types of developments in order to maintain the character of a neighborhood, it is necessary to undertake a review of the existing Master Plan and zoning ordinances; and

WHEREAS, the firm of Phillips, Preiss, Grygiel, Leheny and Hughes, LLC has submitted a proposal to the Borough to undertake a review of the existing Master Plan in the estimated amount of \$45,000.00, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Governing Body believes it is in the best interest of the community to undertake a review of the existing Master Plan; and

WHEREAS, N.J.S.A. 40A:4-53 provides for emergency appropriations for the engagement of special consultants for the preparation, and the preparation of a master plan or plans, when required to conform to the planning laws of the State; and

WHEREAS, the Borough Administrator has reviewed the proposal provided by Phillips, Preiss, Grygiel, Leheny and Hughes, and recommends the approval of same; and

WHEREAS, the Chief Financial Officer has certified that the funds are available to undertake the review of the Master Plan.

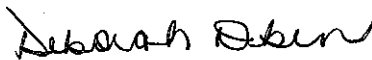
NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the proposal submitted by Phillips, Preiss, Grygiel, Leheny and Hughes, LLC to review the existing Master Plan in the estimated amount of \$45,000.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that Phillips, Preiss, Grygiel, Leheny and Hughes shall be paid through an emergency appropriation in accord with N.J.S.A. 40A:4-53; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this Resolution to Phillips, Preiss, Grygiel, Leheny and Hughes, LLC upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

**RESOLUTION AUTHORIZING GRANT CONTRACT EXTENSION FOR WINTHROP DRIVE
ROAD IMPROVEMENTS PROJECT**

**RESOLUTION NO. 21-59
FEBRUARY 8, 2021**

WHEREAS, the Borough of Woodcliff Lake is in receipt of grant monies from the New Jersey Department of Transportation identified as MA-2019-Winthrop Drive Improvements-00604; and

WHEREAS, the Borough Engineer has reviewed this matter and recommends a one-year grant contract extension for the Winthrop Drive road improvements.

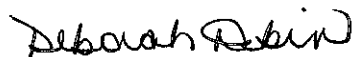
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake, County of Bergen, and State of New Jersey, that a six-month grant extension for the Winthrop Drive road improvements be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Engineer be and is hereby authorized and directed to submit a one-year grant extension request for the grant identified as MA-2019-Winthrop Drive Improvements-00604 to the New Jersey Department of Transportation on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the attached letter to Neglia Engineering upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**

ADJOURNMENT

MOTION to adjourn was made by Councilwoman Gadaleta, second by Councilwoman Higgins and unanimously approved by voice call vote. Meeting was adjourned at 10:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Deborah Dakin".

Deborah Dakin, RMC, CMR
Borough Clerk

**BOROUGH OF Woodcliff Lake
Bergen County, New Jersey**

ORDINANCE NO. 21-03

**AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR FUNDING OF
THE BOROUGH'S MASTER PLAN – N.J.S. 40A:-4-53(D)**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN THE
COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, pursuant to N.J.S. 40A:4-53(d), the sum of \$50,000 is hereby appropriated for expenses incurred for implementing the Master Plan of the Planning Board, by the Borough of Woodcliff Lake and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-53(b); and

WHEREAS, such special emergency appropriation and/or the special emergency noted authorized to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized pursuant to this act (N.J.S. 40A:4-55).

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE

Bergen County, New Jersey

Ordinance No. 21-04

AN ORDINANCE TO AMEND CHAPTER 380 ENTITLED "ZONING" OF THE BOROUGH CODE OF THE
BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE IN
THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 380, of the Code of the Borough of Woodcliff Lake sets forth all
regulations regarding Zoning within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of
Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby
amended as follows and that those portions of the Ordinance not set forth below shall remain
unchanged.

Chapter 380. Zoning.

Ch. 380-84. General provisions.

E. Projections and encroachments. No part of any building or structure attached to a building
shall project into any required yard or setback except as follows:

(6) Permanent standby generators may project not more than 8 feet into the required
rear or side yard setback.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of
this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be
affected.

Effective Date. This Ordinance shall become effective upon final approval and publication,
pursuant to law, and upon completion of all outstanding cases.

BOROUGH OF WOODCLIFF LAKE
Bergen County, New Jersey

Ordinance No. 21-05

**AN ORDINANCE TO AMEND CHAPTER 320 ENTITLED "STORMWATER CONTROL" OF THE
BOROUGH CODE OF THE BOROUGH OF WOODCLIFF LAKE, STATE OF NEW JERSEY**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WOODCLIFF LAKE
IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:**

WHEREAS, Chapter 320, of the Code of the Borough of Woodcliff Lake sets forth all regulations regarding Stormwater Control Zoning within the Borough of Woodcliff Lake; and,

BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Chapter 320. Stormwater Control.

Section 1: Scope and Purpose

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for major development, as defined in Section 2.

C. Applicability.

1. This ordinance shall be applicable to the following major developments:

- a. Nonresidential major developments; and
 - b. Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by Borough of Woodcliff Lake.
- D. Compatibility with other permit and ordinance requirements. Development approvals issued for subdivisions and site plans pursuant to this ordinance are to be considered an integral part of development approvals under the subdivision and site plan review process and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section 2: Definitions

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

AGRICULTURAL DEVELOPMENT

Land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacturing of agriculturally related products.

BEST MANAGEMENT PRACTICE (BMP)

Structural device, measure, facility, or activity that helps to achieve stormwater management control objectives at a designated site.

CAFRA PLANNING MAP

The map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

CAFRA CENTERS, CORES OR NODES

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

COMMUNITY BASIN

An infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

CATEGORY 1 (C1) WATERS

Waters of the state, including unnamed waterways that appear on Soil Survey and USGS Topographic Quadrangle Maps within the same HUC 14 watershed, designated in N.J.A.C. 7:9B-1.15(c) through (h) for purposes of implementing the antidegradation policies set forth at N.J.A.C. 7:9B-1.5(d) for protection from measurable changes in water quality characteristics because of their clarity, color, scenic setting, other characteristics of aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, or exceptional fisheries resources.

COMPACTION

The increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

An agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

- A. County planning agency; or
- B. County water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT

The New Jersey Department of Environmental Protection.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission, such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER

A person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DEVELOPMENT

The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure; any mining excavation or landfill; and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a state permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act; N.J.S.A. 4:1C-1 et seq.

DISTURBANCE

The placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving water body or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA

The following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREAS

An area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the

Department's Endangered and Nongame Species Program.

EMPOWERMENT NEIGHBORHOOD

A neighborhood designated by the Urban Coordinating Council in consultation and conjunction with the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-69.

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

ESCAPE PROVISIONS

The permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins.

GROUNDWATER

A body of water below the surface of the land in a zone of saturation where the spaces between the soil or geological materials are fully saturated with water.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

HUC 14

An area within which water drains to a particular receiving surface water body, also known as a sub watershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE

A surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION

The process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY

One or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT

An individual "development," as well as multiple developments that individually or collectively result in:

- (1) The disturbance of one or more acres of land since February 2, 2004;
- (2) The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
- (3) The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 {or the effective date of this ordinance, whichever is earlier}; or
- (4) A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development," but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

MITIGATION

An action by an applicant providing compensation or offset actions for on-site stormwater management requirements where the applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in N.J.A.C. 7:8 in an adopted regional stormwater management plan or in this local ordinance and has received a waiver from strict compliance from the Borough of Woodcliff Lake. Mitigation for the purposes of this ordinance includes both the mitigation plan detailing how the project's failure to strictly comply will be compensated, and the implementation of the approved mitigation plan.

MOTER VEHICLE

Land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTER VEHICLE SURFACE

Any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY

Any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANGEMENT PRACTICES (BMP) MANUAL

The manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the

Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 4.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NONSTRUCTURAL STORMWATER MANAGEMENT TECHNIQUES

Techniques that control or reduce stormwater runoff in the absence of stormwater structures (e.g., basins and pipe conveyances), such as minimizing site disturbance, preserving important site features, including but not limited to natural vegetation, reducing and disconnecting impervious cover, minimizing slopes, utilizing native vegetation, minimizing turf grass lawns, increasing time of concentration, and maintaining and enhancing natural drainage features and characteristics.

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERMEABLE

A surface or land cover capable of transmitting or percolating a significant amount of precipitation into the underlying soils.

PERSON

Any individual, corporation, company, partnership, firm, association, Borough of Woodcliff Lake or political subdivision of this State and any state, interstate, or Federal agency.

PLAN

A document approved at the site design phase that outlines the measures and practices used to control stormwater runoff at the site.

POLLUTANT

Any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy

Act of 1954, as amended (42 U.S.C. 2011 et seq.), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, groundwaters or surface waters of the state, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

POLLUTION

The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water to the extent that the pollutant concentration or level violates either the groundwater quality standards (N.J.A.C. 7:9-6) or the surface water quality standards (N.J.A.C. 7:9B) of New Jersey.

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

- (1) A net increase of impervious surface;
- (2) The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
- (3) The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
- (4) The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or

quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

REVIEW AGENCY (MUNICIPAL)

The municipal body or official that is responsible for the review of a major development project for compliance with the stormwater management requirements.

SEDIMENT

Solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, or gravity as a product of erosion.

SITE

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

SOIL AND FLOATABLE MATERIALS

Sediment, debris, trash and other floating, suspended or settleable solids.

SOURCE MATERIAL

Any material(s) or machinery, located at an industrial facility that is directly or indirectly related to process, manufacturing, or other industrial activities, that could be a source of pollutants in any industrial stormwater discharge to ground or surface water. Source materials include, but are not limited to, raw materials, intermediate products, final products, water materials, by-products, industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)

An area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the state's future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP

The geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

STORMWATER

Water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP

An excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration basin), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE

Any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration

or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANGEMENT PLANNIN AREA

The geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STREAM BUFFER

A strip of land located immediately adjacent to a stream channel consisting of natural, undisturbed vegetative cover, which serves as a transition area between uplands and riparian lands. A stream buffer may encompass wetlands, may be contained with a floodplain or floodway or may extend beyond a wetland, floodplain, or floodway boundary.

STRUCTURAL STORMWATER TECHNIQUES

A stormwater management measure that involves control of concentrated stormwater runoff or filtration such as stormwater basins, piped conveyance systems and manufactured stormwater devices and can include various types of basins, filters, surfaces, and devices located on individual lots in a residential development or throughout a commercial, industrial or institutional development site in areas not typically suited for larger, centralized structural facilities.

THREATENED AND ENDANGERED SPECIES

Endangered species are those whose prospects for survival in New Jersey are in immediate danger because of a loss or change in habitat, overexploitation, predation, competition, disease, disturbance, or contamination. Assistance is needed to prevent future extinction in New Jersey. Threatened species are those who may become endangered if conditions surrounding them begin to or continue to deteriorate. Habitats of endangered or threatened species are those identified by the Department's Landscape Project as approved by the Department's Endangered and NonGame Species Program.

TIME OF CONCENTRATION

The time it takes for stormwater runoff to travel from the hydraulically most distant point of the watershed to the point of interest within a watershed.

TRANSITION AREA

An area of protected upland adjacent to a freshwater wetland that minimizes adverse impacts on the wetland or serves as an integral component of the wetlands ecosystem.

Also known as "buffer area."

TIDAL FLOOD HAZARD AREA

A flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES

A zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et seq.

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

A structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND

An area that is inundated or saturated by surface water or groundwater at a frequency and

duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section 3: Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 - (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section 4: Stormwater Management Requirements for Major Development

- A. Maintenance plan. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 10.
- B. Threatened and endangered species. Stormwater management measures shall be implemented in order to avoid adverse impacts of concentrated flow on habitat(s) for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. Exemptions. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Section 4F and G:
 - 1. The construction of an underground utility line, provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line, provided that the existing conditions are maintained to the maximum extent practicable; and

3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. Waiver from strict compliance. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 4F and G may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 4F and G to the maximum extent practicable;
3. The applicant demonstrates that, in order to meet the requirements of Section 4F and G, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Subsection D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 4F and G that were not achievable on site.

A. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 4Q, R, S, and T. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm

B. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High-Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found after Table 3)

(Continued on next page)

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
with a Waiver or Variance from N.J.A.C. 7:8-5.3)

Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 3)

(continued on the next page)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- a. subject to the applicable contributory drainage area limitation specified at Section 4.O.2;
- b. designed to infiltrate into the subsoil;
- c. designed with underdrains;
- d. designed to maintain at least a 10-foot-wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- e. designed with a slope of less than two percent;
- f. designed with a slope of equal to or greater than two percent;

- g. manufactured treatment devices that meet the definition of green infrastructure at Section 2;
 - h. manufactured treatment devices that do not meet the definition of green infrastructure at Section 2.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with §247-7B. Alternative stormwater management measures may be used to satisfy the requirements at Section 4Q only if the measures meet the definition of green infrastructure at §247-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at §247-4Q.2 are subject to the contributory drainage area limitation specified at §247-4Q.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at §247-4Q.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §247-4D is granted from §247-4Q.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
 - 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - 2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be

installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §247-9.C;

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at §247-9; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at §247-2 may be used only under the circumstances described at §247-4P.3.
- K. Any application for a new agricultural development that meets the definition of major development at Section 2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Section 4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the County Clerk of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located, as appropriate, to the municipality. A form of deed notice shall be submitted to the municipality for approval

prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 4.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section 4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 4.F. and/or an alternative stormwater management measure approved in accordance with Section 4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section 4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 4.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 4.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section 4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 4.D.

Q. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 5, either:
 - a. Demonstrate through hydrologic and hydraulic analysis that the site and its

stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or

- b. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - a. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - b. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing, or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

R. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - a. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

- b. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
- 3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- 4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required eighty percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (AXB)/100$$

Where:

R = total TSS percent load removal from application of both BMPs

A = the TSS percent removal rate (whole number) applicable to the first (upstream) BMP

B = the TSS percent removal rate (whole number) applicable to the second (downstream) BMP

In cases where three or more BMPs are used in series, the applicant shall calculate the TSS reduction for the two most upstream BMPs in the series using the above formula, then substitute the result of that calculation in the formula for "A" when calculating the combined result with the next BMP in the series.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3,

2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 5, complete one of the following:
 - a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - c. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - d. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section 5: Calculation of Stormwater Runoff and Groundwater Recharge

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate stormwater runoff in accordance with one of the following methods:

- a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at Section 5A-1a and the Rational and Modified Rational Methods at Section 5A-1b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce preconstruction stormwater runoff rates and/or volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of previous and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

Section 6: Sources for Technical Guidance

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended, and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection,
Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

Section 7: Solids and Floatable Materials Control Standards

A. Site design features identified under Section 4.F above, or alternative designs in accordance with Section G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 7.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
- a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

- b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- (1) A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or

- (2) A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1)

- d. Where flows are conveyed through a trash rack that has parallel bars with one inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section 8: Safety Standards for Stormwater Management Basins

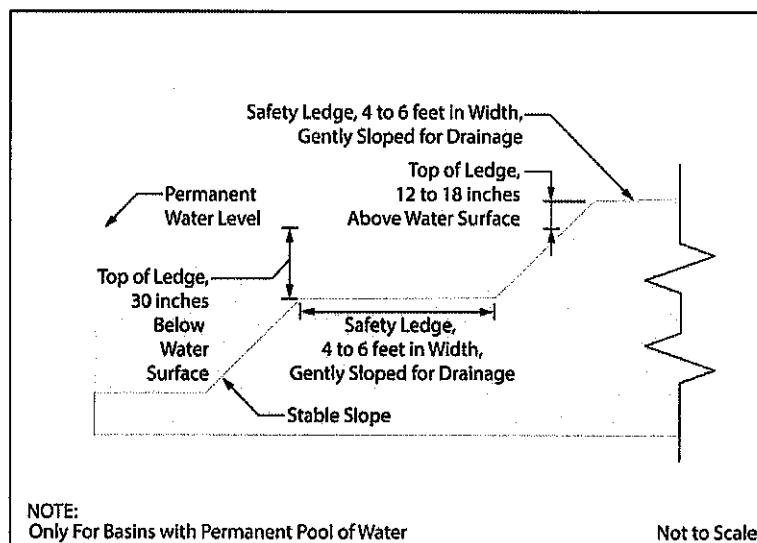
- A. General scope. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 8.C.1, 8.C.2, and 8.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for trash racks, overflow grates and escape provisions.

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
 - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
 - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
 - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
 - d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is intended to protect the opening in the top of a stormwater management measure outlet structure. It is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
 - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the reviewing agency and/or the Borough Engineer identified in Section 8C, a freestanding outlet structure may be exempted from this requirement;
 - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width.

One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and

- c. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.
 - d. An emergency drawdown method for detention basins is required where the permanent pool will be more than 2 1/2 feet deep. This drawdown method must consider downstream or off-site stability at the outfall in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
- D. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county, or Department) that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration



Section 9: Requirements for a Site Development Stormwater Plan

A. Submission of site development stormwater plan.

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the checklist for the site development stormwater plan at Section 9C below as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate through submission requirements that the project

meets the standards set forth in this ordinance.

3. The applicant shall submit four (4) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 9C of this ordinance.

B. Site development stormwater plan approval. The applicant's site development project shall be reviewed as a part of the subdivision or site plan review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the engineer retained by the Planning and/or Zoning Board (as appropriate) to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Checklist requirements. The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information, as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its environs. This description should include a discussion of soil conditions, slopes, wetlands, waterways, and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land use planning and source control plan. This plan shall provide a demonstration of how the goals and standards of §247-3 through §247-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible. The applicant should refer to the Borough of Woodcliff Lake Stormwater Management Plan and the Borough of Woodcliff Lake Stormwater Pollution Prevention Plan for additional requirements.
5. Stormwater management facilities map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - a. Total area to be disturbed, paved, or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
6. Calculations.
 - a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this ordinance.
 - b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure. The Borough of Woodcliff Lake shall be notified of site investigation activities and given the opportunity to have a witness, either prior to approval or as a condition of approval, as appropriate for the specific type of measure. Subsequent to approval of the development, postconstruction bulk soil density and infiltration testing shall be required for all infiltration measures that were used as justification for meeting the recharge standards, to ensure that they were properly constructed.
7. Maintenance and repair plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 10.
8. Waiver from submission requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review

engineer, waive submission of any of the requirements in Section 9.C.1 through 9.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section 10: Maintenance and Repair

A. Applicability. Projects subject to review as in Section 1C of this ordinance shall comply with the requirements of Section 10B and C.

B. General maintenance.

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development. This plan shall be separate from all other documents and designed for ongoing use by the site owner(s) or operator(s) in performing and documenting maintenance and repair, and by the Borough of Woodcliff Lake in ensuring implementation of the maintenance plan. The final maintenance plan shall be updated and provided to the Borough of Woodcliff Lake postconstruction to include an evaluation based on the specifications of the initial maintenance plan and as-built conditions.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency, or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the person responsible for maintenance identified under Subsection B.3 above is not a public agency, the maintenance plan and any future revisions based on Subsection B.7

below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6. Preventative and corrective maintenance shall be performed to maintain the function of the stormwater management measure, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
 7. The person responsible for maintenance identified under Subsection B.3 above shall perform all of the following requirements:
 - a. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - b. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - c. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsection B.6 and B.7 above.
 8. The requirements of Subsection B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the Municipal Engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or county may immediately proceed to do so and shall bill the cost thereof to the responsible person, enforce penalties and/or liens as determined by the Borough of Woodcliff Lake and described below. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

Section 11: Violations and Penalties

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure, or land in violation of this ordinance shall be subject to the following penalties: A fine not to exceed \$500.00 per day for the first offense and a fine not to exceed \$1,000.00 per day with the possibility of imprisonment for the second and subsequent offenses.

Section 12: Severability

Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

Section 13: Effective Date

This ordinance shall take effect immediately upon the approval by the county review agency, or 60 days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 21-34

FEBRUARY 8, 2021

BE IT RESOLVED, that the following Payroll Disbursements made by the Treasurer since the last meeting are proper and hereby ratified and approved:

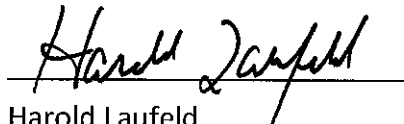
Payroll Released 1/31/2021 \$ 219,956.98

BE IT FURTHER RESOLVED that the following current claims against the Borough for materials and services have been considered and are proper and hereby are approved for payment:

Current Fund:	\$1,436,369.55
Animal:	\$ 597.40
Trust/Other:	\$ 465.00
Affordable Housing:	\$ 4,980.00
Capital:	\$ 30,454.03
Escrow:	\$ 5,349.90

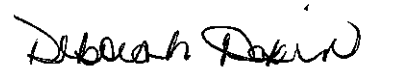
CERTIFICATION OF FUNDS

I, Harold Laufeld, Chief Financial Officer of the Borough of Woodcliff Lake, hereby duly certify that fund(s) are available for Payroll Disbursements and Payment of Claims.


Harold Laufeld
Chief Financial Officer

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of February 8, 2021.


DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASSACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH BOROUGH ATTORNEY

RESOLUTION NO. 21-35 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-18 was adopted appointing John Schettino, Esq. as the Borough Attorney for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with John Schettino, Esq. as the Borough Attorney for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Borough Attorney attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Professional Services Agreement between the Borough and John Schettino, Esq. as


Borough Attorney for the year 2021 be approved; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Professional Services Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to John Schettino, Esq.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH BOND COUNSEL

RESOLUTION NO. 21-36 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-25 was adopted appointing Rogut McCarthy as Bond Counsel for a one-year term expiring on December 31, 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Rogut McCarthy as Bond Counsel for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Bond Counsel attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C. 5:30-5.4(a)(3)(5).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the Agreement between the Borough and Rogut McCarthy as Bond Counsel for a one-year term expiring on December 31, 2021 be

approved; and


BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution together with the Agreement to Rogut McCarthy upon its passage; and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:11-1 et. seq., the Borough Clerk be and she is hereby authorized and directed to advertise the award of this contract for Professional Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASSAIC ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH ENGINEER

RESOLUTION NO. 21-37 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-21 was adopted appointing Neglia Engineering as the Borough Engineer for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Neglia Engineering as the Borough Engineer for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Borough Engineer attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

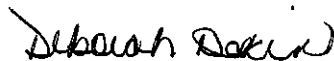
NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Professional Services Agreement between the Borough and Neglia Engineering as the Borough Engineer for the year 2021 be approved; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Professional Services Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Neglia Engineering upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH LABOR COUNSEL

RESOLUTION NO. 21-38 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-19 was adopted appointing Raymond Wiss, Esq. of Wiss and Bouregy, P.C. as Labor Attorney for a one-year term expiring on December 31, 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Raymond R. Wiss, Esq. of Wiss and Bouregy, P.C. as Labor Attorney for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Labor Attorney attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff

Lake, County of Bergen and State of New Jersey that the Agreement between the Borough and Raymond R. Wiss, Esq. of Wiss and Bouregy, P.C. as Labor Counsel for a one-year term expiring on December 31, 2021 be approved; and

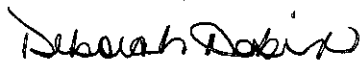
BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution together with the Agreement to Raymond R. Wiss, Esq. of Wiss and Bouregy, P.C. upon its passage; and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:11-1 et. seq., the Borough Clerk be and she is hereby authorized and directed to advertise the award of this contract for Professional Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASSACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT WITH BOROUGH PLANNER

RESOLUTION NO. 21-39 FEBRUARY 8, 2021

WHEREAS, at the Mayor and Council meeting of January 19, 2021, Resolution No. 21-22 was adopted appointing Richard Preiss of Phillips Preiss Grygiel Leheny Hughes, LLC as Borough Planner for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into an Agreement with Richard Preiss, as Borough Planner for the year 2021; and

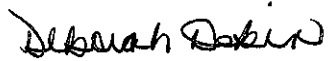
WHEREAS, the Mayor and Council have reviewed the attached Agreement between the Borough and the Borough Planner attached hereto and incorporated herein by reference and recommend the approval of same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Agreement between the Borough and Richard Preiss of Phillips Preiss Grygiel Leheny Hughes, LLC as Borough Planner for the year 2021, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Agreement to Richard Preiss upon the passage of same.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in cursive script, reading "Deborah Dakin".

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH AUDITOR

RESOLUTION NO. 21-40 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-23 was adopted appointing Lerch, Vinci & Higgins as the Borough Auditor for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Lerch, Vinci & Higgins as the Borough Auditor for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Borough Auditor attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

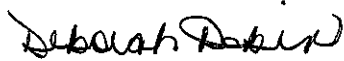
NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the Professional Services Agreement between the Borough and Lerch, Vinci & Higgins as the Borough Auditor for the year 2021 be approved; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Professional Services Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Lerch, Vinci & Higgins upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH CONFLICTS COUNSEL

**RESOLUTION NO. 21-41
FEBRUARY 8, 2021**

WHEREAS, on January 19, 2021, resolution No. 21-26 was adopted appointing Chasan, Lamparello, Mallon & Cappuzzo as Conflicts Counsel for a one-year term expiring on December 31, 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Chasan, Lamparello, Mallon & Cappuzzo as Conflicts Counsel for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Conflicts Counsel attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the Agreement between the Borough and Chasan, Lamparello, Mallon & Cappuzzo as Conflicts Counsel for a one-year term expiring on December 31, 2021 be approved; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution together with the Agreement to Chasan, Lamparello, Mallon & Cappuzzo upon its passage; and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:11-1 et. seq., the Borough Clerk be and she is hereby authorized and directed to advertise the award of this contract for Professional Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT WITH RISK MANAGEMENT/HEALTH BENEFITS ADVISOR

RESOLUTION NO. 21-42
FEBRUARY 8, 2021

WHEREAS, at the Mayor and Council meeting of January 19, 2021, Resolution No. 21-24 was adopted appointing Frank Covelli as the Borough's Risk Management/Health Benefits Advisor for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into an Agreement with Frank Covelli as the Borough's Risk Management/Health Benefits Advisor for the year 2021; and

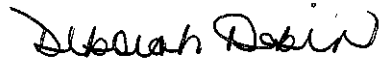
WHEREAS, the Mayor and Council have reviewed the attached Agreement between the Borough and the Frank Covelli attached hereto and incorporated herein by reference and recommend the approval of same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Agreement between the Borough and Frank Covelli as the Borough's Risk Management/Health Benefits Advisor for the year 2021, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

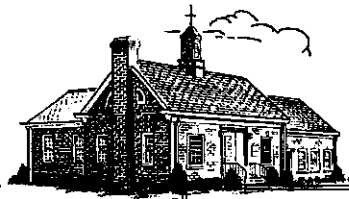
BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Agreement to Frank Covelli upon the passage of same.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH REDEVELOPMENT ATTORNEY

RESOLUTION NO. 21-43 FEBRUARY 8, 2021

WHEREAS, on January 19, 2021, resolution No. 21-20 was adopted appointing Jeff Zenn, Esq. of Cullen & Dykman, LLP as Redevelopment Attorney for a one-year term expiring on December 31, 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into a Professional Services Agreement with Jeff Zenn, Esq. of Cullen & Dykman, LLP as Redevelopment Attorney for the year 2021; and

WHEREAS, the Mayor and Council have reviewed the attached Professional Services Agreement between the Borough of Woodcliff Lake and the Redevelopment Attorney attached hereto and incorporated herein by reference and approve of same; and

WHEREAS, pursuant to N.J.A.C.5:30-5.4(a)(1), state regulations prohibit a municipality from entering into a contract unless the municipality's Chief Financial Officer first certifies in writing to the municipality's Governing Body that adequate funds are available for the contract; and

WHEREAS, the certification of the Chief Financial Officer is attached hereto and incorporated herein by reference indicating that adequate funds are available in the budget and the line item appropriation of the municipal budget to which the contract will be charged as required pursuant to N.J.A.C 5:30-5.4(a)(3)(5).

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey that the Agreement between the Borough and Jeff Zenn, Esq. of Cullen & Dykman, LLP as Redevelopment Attorney for a one-year term expiring on December 31, 2021 be approved; and

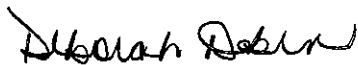
BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and they are hereby authorized and directed to execute the Agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution together with the Agreement to Jeff Zenn, Esq. of Cullen & Dykman, LLP upon its passage; and

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 40A:11-1 et. seq., the Borough Clerk be and she is hereby authorized and directed to advertise the award of this contract for Professional Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Hayes		X	X			
Higgins			X			
Marson			X			
Schnoll			X			
Mayor Rendo						

201-391-4977
Fax 201-391-8830

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT WITH MUNICIPAL ADVISOR SERVICES

RESOLUTION NO. 21-44 FEBRUARY 8, 2021

WHEREAS, at the Mayor and Council meeting of January 19, 2021, Resolution No. 21-30 was adopted appointing Phoenix Advisors as the Borough's Municipal Advisor for the year 2021; and

WHEREAS, the Mayor and the Borough Clerk were authorized to enter into an Agreement with Phoenix Advisors as the Borough's Municipal Advisor for the year 2021; and

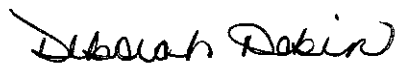
WHEREAS, the Mayor and Council have reviewed the attached Agreement between the Borough and the Phoenix Advisors attached hereto and incorporated herein by reference and recommend the approval of same.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Agreement between the Borough and Phoenix Advisors as the Borough's Municipal Advisors for the year 2021, a copy of which is attached hereto and incorporated herein by reference, be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution together with the signed Agreement to Phoenix Advisors upon the passage of same.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

TONNAGE GRANT APPLICATION RESOLUTION

RESOLUTION NO. 21-45

February 8, 2021

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2021 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Woodcliff Lake to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

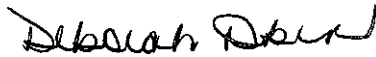
WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the Borough of Woodcliff Lake hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Christopher Behrens to ensure that the application is properly filed for the calendar year 2021; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant is deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Mayor and Council at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

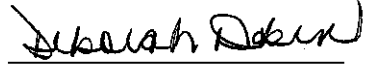
2020 BUDGET RESERVES TRANSFERS FOR FEBRUARY 8, 2021 MEETING

RESOLUTION NO. 21-46 FEBRUARY 8, 2021

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Tax Collection – Salary and Wages	0-01-20-145-010	1,000	
Finance – Other Expenses	0-01-20-130-020		1,000
Zoning – Salary and Wages	0-01-21-185-010	1,000	
Zoning – Other Expenses	0-01-21-185-020		1,000
Department of Public Works – Other Expenses	0-01-26-300-020	1,500	
Vehicle Maintenance – Other Expenses	0-01-26-315-020		1,500
Electricity	0-01-31-430-020	1,000	
Telephone	0-01-31-440-020		1,000
TOTAL		4,500	4,500

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCAOK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT FOR THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 21-47 FEBRUARY 8, 2021

WHEREAS, it is upon the advice and recommendation of the Borough Tax Counsel and Tax Assessor to seek formal approval of the Stipulation of Settlement for the property with matters pending before the Tax Court of New Jersey; to wit

- Block 301.01, Lot 3.02 on the Borough Tax Map, with an address of 485 Chestnut Ridge Road, Tenant-Taxpayer for the tax year 2015, 2016, 2017 & 2018 tax years, Docket Nos. 008251-2015, 001420-2016, 00185-2017, 004409-2018 & 005344-2019. The approximate tax refund in this matter is \$16,333.88.
- The appeal involves the 2015, 2016, 2017, 2018 & 2019 tax years.

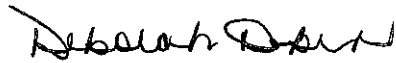
WHEREAS, it is in the best interest of the Borough to approve the proposed Stipulation of Settlement, based upon the cost & uncertainty of litigation, as well as other equitable issues.

WHEREAS, the refund to be paid in accordance with the recommendation of the Borough CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment for the above stated Stipulations of Settlement.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT FOR THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 21-48
FEBRUARY 8, 2021

WHEREAS, it is upon the advice and recommendation of the Borough Tax Counsel and Tax Assessor to seek formal approval of the Stipulation of Settlement for the property with matters pending before the Tax Court of New Jersey; to wit

- Block 2406, Lot 6 on the Borough Tax Map, with an address of 123-25 Broadway for the tax year 2018, 2019 & 2020 tax years, Docket Nos. 005471-2018, 005692-2019 & 004721-2020. The approximate tax refund in this matter is \$2,100.
- The appeal involves the 2018, 2019 & 2020 tax years.

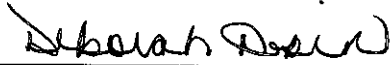
WHEREAS, it is in the best interest of the Borough to approve the proposed Stipulation of Settlement, based upon the cost & uncertainty of litigation, as well as other equitable issues.

WHEREAS, the refund to be paid in accordance with the recommendation of the Borough CFO.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that the Mayor be and is hereby authorized and directed to execute any and all documents necessary in order to facilitate the payment for the above stated Stipulations of Settlement.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in dark ink, appearing to read "Deborah Dakin", is written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCOACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING CANCELLATION OF 2021 SPRING BLOSSOM FESTIVAL RESOLUTION NO. 21-49 FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake previously entered into a 2-year event contract with Cliffhanger Productions for the 2020 Spring Blossom Festival and the 2021 Spring Blossom Festival; and

WHEREAS, due to the COVID-19 pandemic and in accord with the Executive Orders issued by the Governor's Office of the State of New Jersey, it was necessary to cancel the 2020 Spring Blossom Festival; and

WHEREAS, as the cases of COVID-19 continue to rise in Bergen County, it is necessary and in the best interests of the community and residents to cancel the 2021 Spring Blossom Festival scheduled for May 15, 2021; and

WHEREAS, the Borough Administrator and Parks and Recreation Committee have reviewed this matter and recommend the cancellation of the 2021 Spring Blossom Festival due to the COVID-19 pandemic.

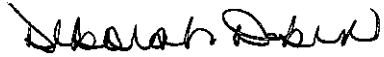
NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, that the 2021 Spring Blossom Festival scheduled for May 15, 2021 be and is hereby cancelled; and

BE IT FURTHER RESOLVED, that the event contract with Cliffhanger Productions for the 2021 Spring Blossom Festival be and is hereby cancelled;

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a certified copy of this resolution to Cliffhanger Productions upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

EMERGENCY TEMPORARY BUDGET APPROPRIATION

RESOLUTION NO. 21-50 FEBRUARY 8, 2021

WHEREAS, an emergent condition has arisen with respect to various Appropriations listed below and no adequate provision has been made in the 2021 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, said total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ 160,000.00.

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

1. The following temporary appropriations be and the same are hereby made for:

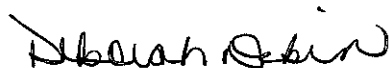
Solid Waste – Other Expenses (Recycling Contract)	\$ 40,000.00
Judgments	120,000.00
Total	\$ 160,000.00

2. That said emergency temporary appropriations will be provided for in the 2021 budget under the various titles listed above.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

**RESOLUTION OF TAX COURT SETTLEMENT
BMW OF NORTH AMERICA, LLC V. BOROUGH OF WOODCLIFF LAKE
2006 to 2013 TAX YEARS (JUDGE NOVIN'S, JTC OPINION)**

**RESOLUTION NO. 21-51
FEBRUARY 8, 2021**

WHEREAS, BMW of North America, LLC is the owner and taxpayer of property located at 200 Chestnut Ridge Road, also known as Block 802, Lot 1 and Block 602, Lot 1 in Woodcliff Lake, New Jersey; and

WHEREAS, the prior administration approved a global tax appeal settlement involving the tax years 2006-2013 which resolution was upheld by New Jersey Tax Court Judge Joshua Novin, J.T.C.'s within his October 2, 2017 trial decision. (See prior Woodcliff Lake Resolution No. 14-19 dated January 23, 2014, attached as Exhibit "A" and Tax Court opinion of Judge Novin, attached as Exhibit "B"); and

WHEREAS, it is upon the advice and recommendation of the Borough Tax Counsel, Tax Assessor and Appraisal Expert formal approval of the related Stipulation of Settlement has been prepared in this matter in accordance with that global settlement,

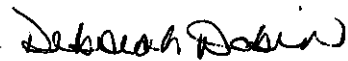
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey that Woodcliff Lake's special tax appeal counsel is hereby

authorized and directed to execute any and all documents necessary in order to finalize the settlement of litigation BMW of North America, LLC v. Borough of Woodcliff Lake, for tax years 2006, 2007, 2008, 2009, 2010, 2011, 2012 and 2013. This settlement is predicated upon the following conditions:

1. The Borough of Woodcliff Lake shall pay BMW in accord with the Settlement Agreement the total tax appeal refund sum of \$3,950,000, payable over four years, without interest. The refund for the 2009 tax year shall be paid no later than March 1, 2021 in the amount of \$1 million; the refund for 2010 tax year shall be paid no later than March 1, 2022 in the amount of \$1 million; the 2011 tax year shall be paid no later than March 1, 2023 in the amount of \$1 million and the refunds for the 2012 tax year shall be paid no later than March 1, 2024 in the amount of \$950,000.00.
2. All other years as per the 2014 approved resolution are to be withdrawn and/or dismissed.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING APPOINTMENT OF CHIEF FINANCIAL OFFICER/ QUALIFIED PURCHASING AGENT

RESOLUTION NO. 21-52
FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake is in need of a Chief Financial Officer/Qualified Purchasing Agent; and

WHEREAS, Jonathan M. DeJoseph was previously appointed as Assistant CFO/QPA; and

WHEREAS, the Borough desires to appoint Jonathan M. DeJoseph's as its CFO/QPA effective March 1, 2021 at a salary of \$3,000.00 per month; and

WHEREAS, pursuant to N.J.S.A. 40A:9-140.10(a), every municipal CFO shall hold said office for a term of four (4) years; and

WHEREAS, the Borough Administrator and Personnel Committee have reviewed this matter and recommend that Jonathan M. DeJoseph be appointed to the position of CFO/QPA effective March 1, 2021 to be paid a monthly salary of \$3,000.00.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake that Jonathan M. DeJoseph be and he is hereby appointed as Chief Financial Officer/Qualified Purchasing Agent for the Borough of Woodcliff Lake effective March 1, 2021; and

BE IT FURTHER RESOLVED, that the CFO/QPA shall be paid a monthly salary of \$3,000.00;
and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to Jonathan M. DeJoseph upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING WOODCLIFF LAKE CAMP RATES FOR THE 2021 SEASON

RESOLUTION NO. 21-54 FEBRUARY 8, 2021

WHEREAS, the Park and Recreation Director and the Council Liaisons for the Park and Recreation Committee have discussed and agreed upon changes to the 2021 Camp fees; and

WHEREAS, the Park and Recreation Director and the Council Liaisons for the Park and Recreation Department wish to recommend the following Camp fees for 2021:

Camp Algonquin runs for 6 weeks.

Resident Half Day and Full Day Rates

Per Week: \$200.00 (1/2 Day) - \$350.00 (Full Day)

Non-Resident Half Day and Full Day Rates (see restrictions below)

Per Week: \$250.00 (1/2 Day) -- \$400.00 (Full Day)

CIT (age 13- 14) - \$200.00 per week (Full Day)

Cancellation Policy

After May 1, 2021 if you cancel and the spot can be filled a refund will be issued
No refunds will be given to any missed days, inclement weather days, transportation delays or dismissals from camp

Exception: If an executive order is issued cancelling all outdoor summer camps due to COVID-19; refunds would be given for unused weeks (not days)

Before & After Care

8:00 AM – 8:30 AM \$60 per week/per child
12:30 PM – 1:30 PM \$120 per week/per child (does not include lunch)

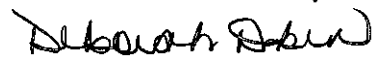
*Please note Camp registration is open throughout the six weeks.

*Non-Resident rates are available to the following: Saddle River, Upper Saddle River, Montvale, Hillsdale and Park Ridge; those Non-Residents Employed within the Borough of Woodcliff Lake (sign up must be done at Borough Hall, proof will be required) and those Non-Residents that are current members of the pool.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake that the aforementioned rates and cancellation policy be and are hereby approved as presented.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta						X
Higgins		X	X			
Marson			X			
Schnoll	X		X			
Hayes			X			
Mayor Rendo						

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

RESOLUTION NO. 21-56

FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Borough of Woodcliff Lake to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

____ 1. Matters Required by Law to be Confidential. Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

____ 2. Matters Where the Release of Information Would Impair the Right to Receive Funds. Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

____ 3. Matters Involving Individual Privacy. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing,

relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

____ 4. Matters Relating to Collective Bargaining Agreements. Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____ 5. Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed specifically with respect to _____. The minutes will be released on or before _____, 20__ when the issues pertaining to the property located at _____ have been approved and finalized.

____ 6. Matters Relating to Public Safety and Property. Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

X 7. Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege, any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer, specifically with respect to: litigation and contract negotiations

The minutes will be released in approximately ninety (90) days or upon the resolution through settlement or court decision and the time period for any and all appeals.

____ 8. Matters Relating to the Employment Relationship. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, specifically: personnel discussion.

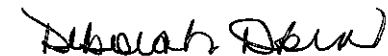
The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

_____ 9. Matters Relating to the Potential Imposition of a Penalty. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake, assembled in public session on February 8, 2021 that an Executive Session closed to the public shall be held on February 8, 2021 at 6:00 P.M. at the Borough of Woodcliff Lake offices located at 188 Pascack Road, Woodcliff Lake, New Jersey, for the discussion of matters relating to the specific items designated above.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson				X		
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION AUTHORIZING SPECIAL EMERGENCY APPROPRIATION FOR THE MASTER PLAN

RESOLUTION NO. 21-57

FEBRUARY 8, 2021

WHEREAS, an ordinance has been approved creating a Special Emergency Appropriation of \$50,000 to meet certain extraordinary expenses incurred, or to be incurred, for the implementation of the Borough's Master Plan; and,

WHEREAS, NJS40A:4-53 and -55 provide that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-55:

1. A special emergency appropriation is hereby made for the *Master Plan* in the total amount of \$50,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding five (5) years by the inclusion of not less than \$10,000.
3. That a "special emergency note", not in excess of the amount authorized pursuant to law, may be provided.
4. The Mayor and Chief Financial Officer are hereby authorized to execute said

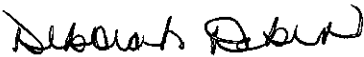
notes, and the Borough Clerk is hereby authorized to affix the seal of the Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue said notes in such form as they may adopt in conformity with law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

5. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principal amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefor.
6. That said notes, if provided, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

This resolution shall take effect immediately.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

201-391-4977
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga			X			
Gadaleta	X		X			
Higgins		X	X			
Marson			X			
Schnoll			X			
Hayes			X			
Mayor Rendo						

RESOLUTION APPROVING REVIEW OF MASTER PLAN

RESOLUTION NO. 21-58

FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake completed a Re-Examination of its Master Plan in 2019; and

WHEREAS, the re-examination report recommended the adoption of a new Master Plan; and

WHEREAS, the re-examination report did not fully address several issues in the Borough with respect to land use including but not limited to, affordable housing, Broadway and Chestnut Ridge/Tice Boulevard corridors, properties in need of redevelopment, large office complexes, constitutional issues relating to religious land uses nor any zoning ordinance changes; and

WHEREAS, in order to address the land use issues in the Borough and encourage certain types of developments to maintain the existing character of our neighborhoods, it is necessary to undertake a review of the existing Master Plan and zoning ordinances; and

WHEREAS, the firm of Phillips, Preiss, Grygiel, Leheny and Hughes, LLC has submitted a proposal to the Borough to undertake a review of the existing Master Plan in the estimated amount of \$45,000.00, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, the Governing Body believes it is in the best interest of the community to undertake a review of the existing Master Plan; and

WHEREAS, N.J.S.A. 40A:4-53 provides for emergency appropriations for the engagement of special consultants for the preparation, and the preparation of a master plan or plans, when required to conform to the planning laws of the State; and

WHEREAS, the Borough Administrator has reviewed the proposal provided by Phillips, Preiss, Grygiel, Leheny and Hughes, and recommends the approval of same; and

WHEREAS, the Chief Financial Officer has certified that the funds are available to undertake the review of the Master Plan.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of Woodcliff Lake, County of Bergen and State of New Jersey, that the proposal submitted by Phillips, Preiss, Grygiel, Leheny and Hughes, LLC to review the existing Master Plan in the estimated amount of \$45,000.00 be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this Resolution to Phillips, Preiss, Grygiel, Leheny and Hughes, LLC upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.



**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**



BOROUGH OF WOODCLIFF LAKE

188 PASCACK ROAD, WOODCLIFF LAKE, NEW JERSEY 07677

Carlos Rendo, Mayor
Tomas J. Padilla, Borough Administrator

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Gadaleta						
Higgins						
Marson						
Schnoll						
Hayes						
Mayor Rendo						

201-391-4977
Fax 201-391-8830

RESOLUTION AUTHORIZING GRANT CONTRACT EXTENSION FOR WINTHROP DRIVE ROAD IMPROVEMENTS PROJECT

RESOLUTION NO. 21-59
FEBRUARY 8, 2021

WHEREAS, the Borough of Woodcliff Lake is in receipt of grant monies from the New Jersey Department of Transportation identified as MA-2019-Winthrop Drive Improvements-00604; and

WHEREAS, the Borough Engineer has reviewed this matter and recommends a one-year grant contract extension for the Winthrop Drive road improvements.


NOW THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Woodcliff Lake, County of Bergen and State of New Jersey, that a six-month grant extension for the Winthrop Drive road improvements be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Engineer be and is hereby authorized and directed to submit a one-year grant extension request for the grant identified as MA-2019-Winthrop Drive Improvements-00604 to the New Jersey Department of Transportation on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to forward a copy of this resolution together with the attached letter to Neglia Engineering upon its passage.

CERTIFICATION

I, Deborah Dakin, Municipal Clerk of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey, do hereby certify that the foregoing resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting of February 8, 2021.

A handwritten signature in black ink, appearing to read "Deborah Dakin", written over a horizontal line.

**DEBORAH DAKIN, RMC, CMR
BOROUGH CLERK**