

BOROUGH OF WOODCLIFF LAKE MAYOR AND COUNCIL AGENDA JUNE 6, 2022 5:00 PM EXECUTIVE SESSION 6:00 PM OPEN SESSION

CALL TO ORDER

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

ROLL CALL

Mayor Carlos Rendo Councilman Stephen Falanga Council President Jacqueline Gadaleta Council President Angela Hayes Councilwoman Josephine Higgins Councilwoman Jennifer Margolis Councilman Richard Schnoll

CLOSED SESSION

Resolution No. 22-137

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

- Potential Litigation
- Contract Negotiations

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

May 16, 2022 (Open) May 16, 2022 (Closed)

PUBLIC COMMENT

(limited to 3 minutes per speaker)

MAYOR'S APPOINTMENTS

Philip Maniscalco as a member of the Zoning Board of Adjustment for a term to expire on December 31, 2024.

John Altadonna as Alternate #1 of the Zoning Board of Adjustment for a term to expire on December 31, 2022.

Gerald Barbara as Alternate #2 of the Zoning Board of Adjustment for a term to expire on December 31, 2023.

Peter Briskin as a Class II member of the Planning Board for a term expiring on December 31, 2022.

<u>BUDGET</u>

Introduction	Ordinance No. 22-07
	Calendar Year 2022
	Ordinance to Exceed the Municipal Budget Appropriation Limits
	And to Establish a Cap Bank
	(N.J.S.A. 40A:4-45/14)

Resolution No. 22-138 Introduction of 2022 Budget

CONSENT AGENDA

Resolution Approving SHI IT Support for Police Department
Resolution Authorizing the Borough of Woodcliff Lake Tax Collector to
Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, C.72
Resolution Authorizing Payments to Qualified 2021 Members of the
Woodcliff Lake Fire Department into Their LOSAP Accounts
Resolution Authorizing the Execution of an Interlocal Agreement for the
Maintenance and Repair of Fire Department Vehicles By and Between the
Borough of Paramus and the Borough of Woodcliff Lake
Resolution Approving Agreement with Our Lady Mother of the Church
Resolution Authorizing Emergency Temporary Appropriations for the
Year 2022

ADJOURNMENT

<u>****Disclaimer****</u> Subject to Additions and/or Deletions

BOROUGH OF WOODCLIFF LAKE CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

ORDINANCE NO. 22-07

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Woodcliff lake in the County of Bergen finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$107,489 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Woodcliff Lake, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Woodcliff Lake shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$376,212 and that the CY 2022 municipal budget for the Borough of Woodcliff Lake be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Hayes						
Higgins						
Margolis				·		
Schnoll						
Gadaleta		· · · ·		-		
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. 22-137 JUNE 6, 2022

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:

<u>1</u>. 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.

<u>3</u>. 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 Update

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.

<u>8.</u> 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 June 6, 2022 that an Executive Session closed to the public shall be held on June 6, 2022 at 5:00 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 June 6, 2022.

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga						
Hayes						
Higgins						
Margolis						
Schnoll						
Gadaleta					a .	
Mayor Rendo						

RESOLUTION APPROVING SHI IT SUPPORT FOR POLICE DEPARTMENT

RESOLUTION NO. 22-139 JUNE 6, 2022

WHEREAS, the Borough of Woodcliff Lake Police Department is in need of IT Support of Departmental Computer Network Servers, Workstations, Printers, Switches, Firewalls, Routers and other computer devices; and

WHEREAS, the Borough has received a proposal from SHI for the IT Support inclusive of remote monitoring and offsite backup and storage in the amount of \$8,226.84 together with annual support for LawSoft CAD/RMS in the total amount of \$7,741.94 for a total of \$15,968.78, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, SHI has submitted its proposal through the New Jersey Cooperative Purchasing Alliance, Contract #CK04, Subcontract #19-34; and

WHEREAS, the Borough Administrator and the Woodcliff Lake Police Department have reviewed the proposal attached hereto and incorporated herein by reference from SHI for IT Support in the total amount of \$15,968.78 and recommend the approval of same; and

WHEREAS, the Borough Attorney has prepared a contract agreement between the Borough and SHI a copy of which is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Woodcliff Lake that the proposal submitted by SHI for IT Support of Departmental Computer Network Servers, Workstations, Printers, Switches, Firewalls, Routers and other computer devices in the amount of \$8,226.84 together with annual support for LawSoft CAD/RMS in the

amount of \$7,741.94 for a total of \$15,968.78 for the Woodcliff Lake Police Department, 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 Administrator and/or Woodcliff Lake Police Department take all steps necessary to effectuate the IT Support for the Woodcliff Lake Police Department referenced herein with SHI; 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 signed proposal and contract to SHI 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 June 6, 2022.

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

INTRODUCTION OF BUDGET RESOLUTION NO. 22-138 JUNE 6, 2022

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Woodcliff Lake, Bergen County, New Jersey for the year 2022.

BE IT FURTHER RESOLVED, that the said budget be published in the Bergen Record in the issue on June 10, 2022 and that a hearing on the Budget will be held at the Municipal Building on July 11, 2022 at 7:00 PM or as soon thereafter as the matter may be reached.

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 June 6, 2022.

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

RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72

RESOLUTION NO. 22-140 JUNE 6, 2022

WHEREAS, the Bergen County Board of Taxation has not certified the tax rate and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector in consultation with the Municipal Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Woodcliff Lake in the County of Bergen and the State of New Jersey on this 6th day of June, 2022, as follows:

1. The Municipal Tax Collector is hereby authorized, if determined necessary, to prepare and issue estimated tax bills for the Borough of Woodcliff Lake for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994 c. 72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The entire estimated tax levy for 2022 is hereby set at \$48,020,128.03.

3. In accordance with law, the third installment of 2022 taxes shall not be subject to interest until the later of August 10, 2022 or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

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 June 6, 2022.

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

RESOLUTION AUTHORIZING PAYMENTS TO QUALIFIED 2021 MEMBERS OF THE WOODCLIFF LAKE FIRE DEPARTMENT INTO THEIR LOSAP ACCOUNTS

RESOLUTION NO. 22-141 June 6, 2022

WHEREAS, the Borough Auditor has advised that a certified list of eligible LOSAP volunteer members must be approved by Resolution of the Governing Body; and

WHEREAS, the lists of members meeting their LOSAP requirements for the year 2021 has been submitted to the CFO by the Captain of the Woodcliff Lake Volunteer Fire Department.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Woodcliff Lake to certify the following list of eligible LOSAP volunteer members and authorize payments into the LOSAP accounts:

Tim Ennis Ed Barboni John Stalb John Whelan Joseph Derienzo Tom Derienzo, Jr. Raphael Jose Maurrasse Chris Derienzo Rob Kuehlke Mike Koons George Fusco Jack Albanese Joseph Franzetti Richard Sparke Matt Buesser

Frank Meredith Kevin McGovern Tom Derienzo Craig Feustel Herb Kuehlke Al Figueroa Matt Kalil

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 June 6, 2022.

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

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE MAINTENANCE AND REPAIR OF FIRE DEPARTMENT VEHICLES BY AND BETWEEN THE BOROUGH OF PARAMUS AND THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 22-142 JUNE 6, 2022

WHEREAS, the Borough of Paramus and the Borough of Woodcliff Lake seek to enter into an Interlocal Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the Borough of Woodcliff Lake; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" <u>N.J.S.A</u>. 40:8A-1 et seq.; and

WHEREAS, the governing bodies of the Borough of Paramus and the Borough of Woodcliff Lake recognize that the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFOR BE IT RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED, that the Agreement shall commence on January 1, 2022 and end on December 31, 2022.

BE IT FURTHER RESOLVED, that the cost of same shall be as set forth in the agreement, which is attached hereto.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Woodcliff Lake hereby authorize the execution of an Interlocal Services Agreement with the Borough of Paramus, subject to the approval of the Woodcliff Lake Borough Attorney.

BE IT FURTHER RESOLVED, that the Agreement shall take effect upon the execution of same and adoption of Resolutions by both parties as provided by law.

BE IT FURTHER RESOLVED, that a copy of the Agreement be maintained on file and open to public inspection at the office of the Borough Clerk.

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 June 6, 2022.

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

RESOLUTION APPROVING AGREEMENT WITH OUR LADY MOTHER OF THE CHURCH

RESOLUTION NO. 22-143 JUNE 6, 2022

WHEREAS, the Borough of Woodcliff Lake and Our Lady Mother of the Church desire to enter into an agreement with regard to the property located adjacent to the Church at 223 Woodcliff Avenue which is part of the redevelopment project of Galaxy Gardens; and

WHEREAS, the Agreement, a copy of which is attached hereto and incorporated herein by reference, outlines the terms and responsibilities of each Party; and

WHEREAS, the Borough Administrator and Our Lady Mother of the Church have reviewed the Agreement attached hereto and incorporated herein by reference and approve of same.

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 attached Agreement between the Borough and Our Lady Mother of the Church regarding the property located at 223 Woodcliff Avenue and the redevelopment project of Galaxy Gardens be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to execute the Agreement, attached hereto and incorporated herein by reference on behalf of the Borough; 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 Our Lady

Mother of the Church 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 June 6, 2022.

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

BOROUGH OF WOODCLIFF LAKE COUNTY OF BERGEN, STATE OF NEW JERSEY

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR THE YEAR 2022

RESOLUTION NO. 22-144 JUNE 6, 2022

WHEREAS, an emergent condition has arisen, in that the Borough of Woodcliff Lake is expected to enter into contracts, commitments or payments prior to the adoption of the 2022 budget and no adequate provision has been made in the 2022 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provide for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2022 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$359,000.00 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$359,000.00 for the Current Fund, as follows:

CURRENT FUND	SALARIES AND WAGES	OTHER EXPENSES		
			- 0 - 10	
Financial		\$	10,000.00	
Administration				
Audit Services		\$	5,000.00	
Tax Assessment		\$	20,000.00	
Police		\$	30,000.00	
Police Dispatch/911		\$	100,000.00	
Aid to Volunteer Fire		\$	20,000.00	
Dept				
Shade Tree		\$	9,000.00	
Commission				
Buildings and		\$	60,000.00	
Grounds				
Public Health		\$	20,000.00	
Services				
Electricity		\$	30,000.00	
Gasoline		\$	30,000.00	
Borough of		\$	25,000.00	
Montvale - Sewer				
Charges				
Total Appropriations \$	-	\$	359,000.00	

- 2. Said emergency temporary appropriations will be provided for in the 2022 budget.
- 3. That one (1) certified copy of this resolution is filed with the Director of the Division 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 June 6, 2022.