



**BOROUGH OF WOODCLIFF LAKE  
MAYOR AND COUNCIL MINUTES  
DECEMBER 7, 2020  
5:30 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. This meeting is being held via zoom and televised.

**ROLL CALL**

Mayor Rendo asked for a roll call. Council members Falanga, Gross, Hayes, Marson and Singleton were present. Borough Attorney John Schettino was present, as well as Borough Administrator Tomas Padilla and Borough Clerk Debbie Dakin. Councilwoman Gadaleta arrived at 7:00.

**CLOSED SESSION**

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta						X
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			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. 20-241  
DECEMBER 7, 2020**

**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 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.

\_\_\_\_ 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.

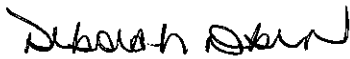
The minutes will be released within ninety (90) days or earlier upon the resolution of the matter through settlement or court decision and the time period for any and all appeals.

\_\_\_\_ 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 December 7, 2020 that an Executive Session closed to the public shall be held on December 7, 2020 at 5:30 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 December 7, 2020.



DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK

#### **PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

#### **PUBLIC COMMENT**

(limited to 3 minutes per speaker)

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

Gwenn Levine, Woodcliff Lake, read the following comment. "Because a review of the Master Plan is being rushed toward approval this month, and because the current Master Plan has already been updated and is compliant, I'm suspicious of the motives behind this change. Given this, I'm sad to say that I don't trust our Mayor and certain members of our Council. Here's why: When the owners of 188 Broadway were presenting their case to the Zoning Board months ago, I wondered why they would spend about \$4.5 million to buy the property without first being sure they'd be approved for multiple variances that were required in order for them to build a 60-unit apartment complex there. Then it occurred to me that they must have been given some informal assurances, prior to purchasing the property, that they'd be approved for those variances. Given this, they went ahead and bought the property.

Then residents attended months of Zoning Board meetings to protest the building of a 60-unit apartment complex in a single-family residential neighborhood. Eventually, based on issues raised by residents, the Zoning Board unanimously turned down 188 Broadway. It's my understanding that the owners of 188 then filed a lawsuit against WCL. I haven't heard a thing about this since then.

Now, suddenly, the M&C are rushing to spend \$45,000 for a review of the town's Master Plan to address land use on Broadway and elsewhere. Why the rush? If any changes are needed, why not allow the M&C to consider such changes during their upcoming meetings? Why not give residents plenty of time to review and comment on any proposed changes?

As I understand it, the primary reason that review of the Master Plan is being pushed toward approval this month would be to address several issues with respect to land use including, but not limited to, the Broadway corridor, properties in need of redevelopment, large office complexes, zoning ordinance changes, and multi-family housing. What a coincidence!

I'm guessing that the owners of 188 Broadway – and perhaps other developers as well – will now get a green light to proceed, with few if any variances required, and no consideration whatsoever for the concerns of residents. This seems to be a back doorway to give the owners of 188 what must have been promised to them, behind the scenes, at the outset.

The rush to change the Master Plan clearly indicates that there's some type of agenda going on, some type of game being played, some way that the town of WCL is kowtowing to developers. This is not OK. I will be deeply disappointed in the Mayor and members of the Council if changes to the Master Plan are rushed through by the end of this month for no legitimate reason.

If truly necessary, changes to the Master Plan can be considered during upcoming meetings in 2021. But once new Council members are sworn in next month, perhaps the Mayor will no longer have the votes he needs to kowtow to developers. I think this explains the rush to approve Master Plan changes by the end of this month. And therefore, I no longer trust the Mayor and members of the Council who support this approach. “

Dianna Cereijo, Woodcliff Lake, stated that we had a comprehensive Master Plan completed in 2002 and it had expired in 2012. What was completed in 2019 was the Re-examination and she believes that there is a lot of confusion. That is not an updated comprehensive Master Plan. The Re-examination only allows us to be compliant with the Municipal Land Use Law and it doesn't give us the maximum legal protection. We already know that we could ask our grant writer to request a grant. She thinks that for the argument of money it is being penny wise and dollar foolish. Without the comprehensive Master Plan, we are losing in tax appeals, lawsuits from commercial developers, such as 188, it is costing our town attorney fees and we are also losing ratables. If the argument against it is for overdevelopment, this is also misguided because the Master Plan allows our town to have a voice. The residents can express their opinions to the Planning Board and the Planning Board is supposed to do their duty and take into consideration how the town would like the future development. Without the comprehensive Master Plan, our

residents and the town have no input whatsoever. Please understand that in the 188 lawsuits, the Judge did note that we do not have a comprehensive Master Plan. This is evidence that we need this. As a member of the Zoning Board, she knows what it means to not have a comprehensive Master Plan because it leaves our town open to any sort of development and we have to initiation spot zone variances. This is not the way she thinks our town wants to be developed is on spot zone variances. She believes we need some uniformity in town. She thinks that it is our fiduciary duty. If you are a council member, you have a duty to the town knowingly allowing properties to stay vacant and the town to lose ratables. That would not be beneficial for the entire town and it just might be a personal interest. All neighboring towns have a current comprehensive Master Plan. Woodcliff Lake is falling behind. There is no doubt in her mind that we should heed the professional advice of our planner, our zoning board attorney and our Mayor. We should stop kicking this can down the road for obtaining a Master Plan. Not having the Mater Plan is just sustainable for our town.

Alex Couto, Woodcliff Lake, asked about the new Ordinance for Certificate of Continued Occupancy regarding its expiration date. Administrator Padilla explained the Ordinance. Mr. Couto stated that if the Master Plan was going to be discussed, it should be held at Tice Senior Center and we could practice social distancing. Residents should be able to voice their opinion because via zoom it is very difficult. There should be a couple of meetings. Administrator Padilla replied that the current Executive Order only allows for a meeting of up to 10 people. Ten people is the Council, attorney, Administrator, and Clerk. Once this gets behind us, we are all looking forward to having in-person meetings again.

Cheryl Dispoto, Woodcliff Lake, stated that she wanted to start by commenting on opening to the public at the outset of the meeting. She brought this up 2 meetings ago when she was watching at home and for whatever reason the Mayor and Council has decided to open to the public at the very beginning of the meeting and she hopes that in the new year the Mayor and Council will reconsider doing that. She thinks that it is a disservice to the public. They do not get the benefit of hearing the Mayor and Council discuss issues. Woodcliff Lake residents expect better and she hopes that the new Council in the new year does something about that. In terms of the expenditure to update the Master Plan, she thinks the residents are very aware that in 2019 it was just an update and that we haven't done a comprehensive Master Plan. Yet, there is no emergency or rush to do this and you are using the last 2 meetings of the year to jam this through. You have outgoing council members that have no bearing on next year's budget and the new Council will have to deal with next year's budget. She thinks that they should defer this expenditure until the new Council is sworn in. This is a topic that is not overly popular with the public because Mayor Rendo's candidates were all over campaigning the last 2 months on this issue and they lost. Ms. Dispoto further stated that this is an insult to the residents' intelligence how you are jamming this through and conducting yourselves. She thinks that this is something that the new Council should debate and address. She believes that the Council has used the pandemic to its advantage over the past few months.

Dick Deutsch, Woodcliff Lake, stated that he understands that there is an emergency Ordinance on tonight's Agenda to fund the Master Plan. What is the emergency? He understands that there

have been some discussions about the need to update it, but the issue has not been fully presented to the residents nor have the residents have much opportunity to comment. Why the rush? The timing is worrisome. Why is this funding being voted upon by the lame duck Council instead of waiting a month for the newly elected Council to consider the issue? It will be the job of the new Council to implement any actions on the Master Plan so why not wait until the new members are seated. If updating the Master Plan is a good idea, then the new Council will support it.

Veronica Appelle, Woodcliff Lake, stated that she watched the Mayor today on his Facebook video and he sounded the alarm about Woodcliff Lake losing tax revenues in places like the Hilton. She agrees but a new comprehensive Master Plan needs to be put in place, but it is not an emergency and does not have to be done immediately just before major holidays while most people are focused elsewhere. Ms. Appelle asked why the Mayor and some of the members of the Council trying to rush through the new Master Plan? Having listened to the town planner and town attorney at numerous meetings, they are very professional. She would like to ask the town planner and attorney why this is an emergency. Why can't it wait a few weeks until the new year? We can wait until the new Council members are seated since they are going to be the ones responsible for the budget. We have a Master Plan in place, and we know that Mayor Rendo would not be operating the town without one and leaving Woodcliff Lake vulnerable to unscrupulous development. Is this the way of saying yes to developers, like the one with the recent proposal for 188 Broadway?

Ulises Cabrera, Woodcliff Lake, asked what the rush is with the Master Plan. Why suddenly do we need to do this and pushing this right now? This is going to lead to other development on Broadway and Chestnut Ridge and there is no need for that. The Mayor says that we need more revenue. This looks bad for the Mayor and his Democratic Council members on how they are going about this. Gross and Singleton are on their way out and he is very disappointed with Gadaleta who is supporting this. Let the new Council members decide. Additionally, there is no transparency because the public does not know what is being discussed during closed session. In his opinion, there looks like there are a lot of shady deals going on. Mr. Cabrera also stated that public comment should take place after the Mayor and Council debates and speaks.

Sal Princiotta, Woodcliff Lake, stated that he is a resident and the zoning board attorney for the Borough of Woodcliff Lake. He is in support for the update of the Master Plan. He thinks that there is a misconception as to what has occurred. An update of the Master Plan did not just come up this month. It has been discussed over the past year and it is not rushed. He does not believe there is any reason to delay it. We have competent members of the Council and a competent Mayor to decide on behalf of the residents of Woodcliff Lake. What happened in the summer of 2019 was that there was a Re-examination of our Master Plan as required by the Municipal Land Use Law. It was not an update of the Master Plan. As a matter of fact, our planner, in the re-examination, recommended that we update the Master Plan. A long-range plan needs to be done. Our Ordinances need to be updated. He can think of many reasons why the Master Plan needs to be updated but he could think of some right off the back. We have vacant buildings in this town, including a hotel, a gas station and office buildings. This is not just about Broadway.

There are other areas of town that need to be looked at. Some of our Ordinances are quite dated. We have lost ratables and tax revenues because developers have not come into town and have not developed properties. Lost of ratables is loss of tax revenue. It does cost money to update the Master Plan, but it is a necessary expense. You are losing more money in tax revenues from properties that should be developed, and it is not developed. Developed properly in a way that you would like to see it redeveloped. Additionally, there are litigation expenses when developers come in and seek approvals and making an investment, they will appeal. You have the attorney fees and litigation costs involved. When you factor in the money aspect, you are spending money defending these cases especially if your Master Plan hasn't been updated and someone is looking for a reason to get the court to decide in their favor. In his opinion, it is best to have an updated Master Plan otherwise you are going to leave these decisions to be made by judges in the state court, judges in the federal courts, court appointed masters or the zoning board that may not be left with guidance in terms of the particulars that the Planning Board and the Mayor and Council would like to see.

Burt Taylor, Woodcliff Lake, asked if the outgoing members of the Council would do the residents a favor and not vote on the Master Plan. Please abstain on it. Mr. Taylor stated that if you look at Broadway, we are losing all our businesses. We didn't lose BMW, but we lost EISAI. Where was the Council when EISAI was moving? How come we didn't try to keep them here. We need to attract more businesses here and try to keep the ones that we have.

Leslie Maltz, Woodcliff Lake, stated that trying to do something at the eleventh hour like this is like packing the Supreme Court in December. It is getting something done quickly at the last opportunity to do it. She has great difficulty seeing the Council even addressing this matter a month before there is a change in the Council. She finds this very distasteful and she has never seen a Council act this way. She is feeling very disillusioned and has lost all confidence in how the Council is working. Ms. Maltz urges the Council to either abstain or vote against this matter. The fair thing to do is to pull this off the Agenda.

Ms. Keenaghan, Woodcliff Lake, stated that the Borough did a re-examination of the Master Plan nearly 18 months ago. To add or amend the plan 17 months later invalidates the hard work and expense of last year without any attention to what it said. At this time during a pandemic, while business at town meetings should be limited to essential and pressing matters, the Council needs to prioritize reviewing the Master Plan re-examined a short time ago does not meeting the criteria. This is also the second to last meeting of the currently Council. This is not a priority, nor it is a matter of health and safety. This is not the time to take such a costly undertaking. Please use good judgement and not incur this expense during these uncertain times. It is very important to focus on immediate needs of our town.

Corrado Belgiovine, Woodcliff Lake, stated that when we did the re-examination a couple of years ago it was an onset to the beginning of us redoing the Master Plan. It was a deposit portion of the beginning phase and it would give Mr. Preiss some time since he was backed up with the Affordable Housing. We had our own Affordable Housing issues at the time that needed to be settled, we had some zoning litigation matters that needed to be settled and that was the only

purpose of waiting. Otherwise, this should have been done many years ago and it is something that will help this town and will be needed. The new members that are going to be on are going to be the ones that guide the Planner and vote on finalizing it. There is nothing being rushed through. Mr. Belgiovine hopes that the sitting Council members have the strength to move this forward tonight.

Mary Ellen Offer, Woodcliff Lake, stated that she submitted a 2-page letter to the Council on this matter. Administrator Padilla acknowledged that we received the letter and it was distributed. Ms. Offer stated that most of her points had been touched upon. Whether or not if we need an updated Master Plan, now is not the time to do this. Ms. Offer stated that nobody has stated what the actual benefits are of doing a Master Plan because they don't want to admit what actual changes are on their minds. Ms. Offer asked if there has been a change in the New Jersey League of Municipalities during a pandemic. This is a big picture topic. Ms. Offer stated that we need multiple sessions regarding the Master Plan. It is inappropriate for a lame duck Council to push through the reopening of the Master Plan with substantial costs involved without compelling reasons.

MOTION TO CLOSE to the public was made by Council President Singleton, second by Councilwoman Gadaleta and unanimously approved.

#### **APPROVAL OF MINUTES**

Motion to approve the Minutes of November 9, 2020 (Open) was made by Councilwoman Gross, second by Councilwoman Gadaleta and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes and Councilman Marson. Council President Singleton abstained since he did not attend the meeting.

Motion to approve the Minutes of November 9, 2020 (Closed) was made by Councilman Falanga, second by Councilwoman Gadaleta and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes and Councilman Marson. Council President Singleton abstained since he did not attend the meeting.

#### **MAYOR'S REPORT**

Mayor Rendo stated that he received sad news about a young high school student in town who the Mayor coached in baseball, Mr. Jack Silver, who has been going through a very difficult time. Jack is receiving treatment for leukemia and there is a movement to support Jack in his recovery and to raise money for the leukemia foundation. You can find more information, Jack Strong, on Facebook and Instagram.

Mayor Rendo received an email from a resident, Madison, who is a girl scout and is looking for a project to do. Mayor Rendo asked Administrator Padilla and the Council members to let him know if they think of a project that she can work on for her Gold Award. Administrator Padilla stated that he will let Elizabeth Calderone know about this in case there is a project to do up at

the pool. Councilman Falanga stated perhaps the Community Garden could use some help.

John Schettino, Borough Attorney, stated that on the 78 Woodcliff Lake Road Affordable Housing project, which is part of a larger plan that Saddle River is seeking approval from the court for, an initial hearing has taken place in which Saddle River presented their planner to testify and that is as far as it has gone at this point. Motions were filed with respect to enforcing the proposed settlement that Woodcliff Lake and an objector to an adjacent property owner had entered with Saddle River and Fair Share Housing. That motion was denied by the court. An interlocutory appeal on the Judge's decision has now been filed by the objector and the Borough of Woodcliff Lake has joined in that appeal and that is at the preliminary stages. A decision has not been made by the Appellate Division. If the court denies the interlocutory appeal, that doesn't preclude an appeal when the entire hearing is over. It just prevents an appeal being heard at this time. The next Affordable Housing hearing is scheduled for January. Members of the public can participate. Mr. Schettino does not have an exact date, but it will be posted on the Borough's website when it becomes available. The Borough is still participating and hoping to get the number of units reduced at that location.

Mayor Rendo stated that he heard the objections against the Master Plan and the comments for the Master Plan. We need to lead as Council people and as the Mayor. We must lead from the front and be proactive. Why the rush? We are legally required to adopt a comprehensive Master Plan which we have not done. Mr. Princiotto and Ms. Cereijo provided arguments as to the necessity to engage in a Master Plan review. This has been going on since 2002 and we are out of time. Just because an election happens, and new people take over doesn't mean government stops working. Ms. Gross and Mr. Singleton continue to be on this Council until December 31, 2020. They are entitled as Council members and as residents to discuss this matter and vote on this matter. They don't stop being Council members because they are stepping off the Council. It is extremely important that we adopt this Master Plan. Mayor Rendo stated that we are facing some very difficult economic times. The Hilton shut down and EISAI is moving. Do you not think that they will file a tax appeal? Engaging in a Master Plan will engage the residents. We are not voting today to adopt a Master Plan. There is a process where everyone in our community engages in this process. Not just the Mayor or Council. Every resident will have the opportunity to attend several meetings. This is not just about Broadway but about the entire community and how you would like it to look in the future. Mayor Rendo stated that he already appointed Councilman Falanga and Councilwoman Gadaleta to lead the efforts on the Committee to study the Master Plan. Mayor Rendo stated that he will also appoint 2 members of our community to sit on this Committee. Mayor Rendo stated that he must do what is best for the Borough and he believes that this is best for the Borough. Mayor Rendo also appointed Councilwoman-elect Higgins to chair the Master Plan Committee. Former Mayor Higgins has a history behind this and understands the importance of a Master Plan. She understands how communities change and the challenges that communities have.

Administrator Padilla stated that Zoning Board Chairperson, Christina Hembree, was on Zoom but didn't know she had to raise her hand to speak since she is usually on the other side of the zoom meetings. Mayor Rendo replied that he will allow it since Ms. Hembree is a respected

member of our Zoning Board for many years.

#### **PUBLIC COMMENT FOR CHRISTINA HEMBREE**

MOTION to open for Christina Hembree was made by Councilman Marson, second by Councilwoman Gross and unanimously approved.

Christina Hembree, Woodcliff Lake, stated that she has been an advocate for the update of the Master Plan for many years. This is not a recent thing. This has been going on a long time. She believes that it is critical that we update the Master Plan. She is aware that our world has changed and will continue to change for the future. To ignore it would be a huge mistake. As a newly elected Councilwoman in the early 1970s, she was included in several discussions about the first Master Plan. There were two decisions that were made during the 10 years afterwards that continue to impact traffic flow to Woodcliff Lake. The opening up at the end of Wyandemere Drive to the current Sony property for ingress and egress and at another time the Garden State Parkway wanted to allow a right turn onto our local roads. The opening up of Wyandemere was denied and the Council negotiated a right turn. The Master Plan update was a major commitment of time and hard work, including the involvement of the entire community. Taking into account the changes in the way we do business, changes in the way we communicate, changes in public transportation and environmental changes require that Woodcliff Lake needs to come to a consensus about what we want Woodcliff Lake to look like in 5 years or 10 years. The Zoning Board of Adjustment's purpose is to make zoning decisions based on current Ordinances.

MOTION to close for Christina Hembree was made by Councilwoman Gross, second by Councilwoman Gadaleta and unanimously approved.

#### **ADMINISTRATOR'S REPORT**

Administrator Padilla stated that we had authorized the contact for ENRC to come back and remove a bunch of the soil at Galaxy Gardens and replace it. That was to have started several weeks ago. As of today, Mr. Padilla received an email from our LSRP who has been in contact with them regularly, that due to COVID ENRC has several workers that are under quarantine or have tested positive. They are very behind on several projects. They know that this is a priority for us, and we are on the list. Our LSRP will be in touch with them on a weekly basis.

Administrator Padilla stated that they have gone back and forth several times with Park Ridge, Hillsdale and Suez regarding the walkway. There were 2 virtual meetings scheduled and have been cancelled. They are trying to move it along.

The pool work has been completed. The cover was being put on the pool today. The water tested fine and it was winterized.

Administrator Padilla stated that we are pulling the Resolution for the recycling contract. As instructed by the Council, we will run some cost saving numbers to have a better estimate and

hope to have it for the next Council meeting.

Administrator Padilla stated that Council President Singleton, Councilwoman Gross and himself met with our Joint Court and there were no changes in core personnel. The 3 towns work together on those appointments. The only vote taken was for the budget for next year. Woodcliff Lake voted against any increase, but it did pass 2-1. The core personnel will receive a 2% increase. They felt that we held the line here with 0 percent increases and didn't feel it would be fair.

Our police department has been having a promotional exam review. The Police Committee participated and the Chief and his command staff are reviewing the data and will come back with a recommendation for promotions.

Our Shade Tree inspector/Property Maintenance Officer, Mark Citakian, resigned. Mark did a really good job on property maintenance and with shade tree. We are lucky enough that someone else is available and is on the Agenda tonight. This person is a retired Lieutenant from Woodcliff Lake and works with the NJ Tree Inspectors.

Councilwoman Gadaleta stated that the police department is collecting Toys for Tots. This is for new, unwrapped toys. There is also a bin for the Tri-Boro Food Pantry. Councilwoman Gadaleta thanked Administrator Padilla and Chris Behrens for their hard work in getting the information for the outsourcing of the recycling. She has heard from so many residents that this is something that they really truly want in Woodcliff Lake. The cost must be considered, and the value must be weighed but it will come down to a quality of life issue. Once we get the requested information from Chris, she believes that this is a no brainer that we must vote yes for that.

### **COUNCIL MEMBERS' REPORTS**

Councilman Falanga stated that the Borough's tree lighting ceremony was the other night. The menorah lighting is coming up on December 14<sup>th</sup> at 6:00 PM. There is also a virtual gingerbread contest going on for Woodcliff Lake residents. Please check out the Borough's website for more information.

Councilwoman Gross stated that she was part of the Police Committee and is interested in rises to the top because frankly it was not easy once again. Everyone comes with a different set of skills; different backgrounds and they all bring a lot of value to our town. Councilwoman Gross stated that they did feel awkward about talking about any raises for the court when we did not pass any raises to our employees. The other towns talked about giving 2.5% but they considered them and went down to 2%. The high school has an event tonight to talk about the issues regarding diversity and inclusion. Councilwoman Gross was part of the panel in working towards creating the event. It is sad to hear some of the stories that the children have. Councilwoman Gross stated that we have a Resolution on the Agenda for tonight to address the racial slurs that happened during Halloween.

## **ORDINANCES**

Public Hearing Ordinance No. 20-05

An Ordinance to Add Chapter 135 Entitled "Certificate of Continuing Occupancy" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to adopt Ordinance No. 20-05 was made by Councilwoman Gross, second by Councilwoman Gadaleta.

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

Bert Taylor, Woodcliff Lake, stated that the home inspection information should be passed along to new residents. Administrator Padilla stated that it is the current homeowner's responsibility to get the Certificate of Continued Occupancy prior to closing.

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

MOTION to adopt Ordinance No. 20-05 was made by Councilwoman Gross, second by Councilwoman Gadaleta and unanimously approved.

Public Hearing Ordinance No. 20-06

An Ordinance to Amend Chapter 163 Entitled "Fees" of the Borough Code of the Borough of Woodcliff Lake, State of New Jersey

MOTION to adopt Ordinance No. 20-06 was made by Councilman Falanga, second by Councilwoman Gadaleta.

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

Alex Couto, Woodcliff Lake, had a question about the procedure of speaking about Ordinance No. 20-07 which Administrator Padilla answered.

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

MOTION to adopt Ordinance No. 20-06 was made by Councilman Falanga, second by Councilwoman Gadaleta and unanimously approved.

Introduction Ordinance No. 20-07  
An Ordinance Entitled "Abandoned Properties"

MOTION to introduce Ordinance No. 20-07 was made by Councilman Falanga, second by Councilwoman Gross and unanimously approved.

Introduction Ordinance No. 20-08  
An Ordinance Authorizing a Special Emergency Appropriation for Funding of the  
Borough's Master Plan

John Schettino, Borough Attorney, stated that there seems to be a misunderstanding by one of the residents. This is called an emergency appropriation, but it is not what one would consider an emergency as respect to emergency purchases or emergency contracts where you must identify, for example where your heating system went out. The state statues specifically allow this to be classified as an emergency appropriation to redo your Master Plan. It is specifically by state statue that you can introduce an ordinance to support the cost of a new Master Plan over the course of 5 years.

Councilwoman Gadaleta stated that first she listened to all the comments. She has been on the council 8+ years and have always tried to be very open-minded and listened to everyone's comments and concerns whether she agrees or don't agree. Councilwoman Gadaleta stated that she is very disturbed and insulted by the accusations of cow tailing and conspiracy. But more so she is disappointed because in all the years that she has been on Council her vote has always been in the best of the community, regardless of whether you agree with her decision or not, her motivation has always been to what has been best for Woodcliff Lake. She has listened to all the professionals, one being Richard Preiss. We value him and his professionalism. She has also listened to other professionals and our residents. Councilwoman Gadaleta read the definition of for a Master Plan. Councilwoman Gadaleta stated that because she values Mr. Schettino's opinion so strongly, he has been around the block for many, many years, she would like to know what Mr. Schettino feels about the Master Plan moving forward. What are the pros and what are the cons. What are the benefits? From what she has heard there are many.

Mr. Schettino stated that many of the comments that he would have made have already been said by different people. The vote tonight is not for a Master Plan. The vote tonight is to start the process for a Master Plan. The first thing that must be done is the funding. The planner must be appointed. When people were commenting that this is being rushed, redoing the Master Plan has been discussed for several years. The process is only beginning. It is going to take at least another 9 months, and this will include input from the residents at public meetings by the Planning Board and Mayor and Council. There will also be input by the Master Plan Committee. Mr. Schettino read 2 comments from Cox which is referred to as the bible for Land Use. "Today there is no question but that the Master Plan is the cornerstone supporting the zoning of a municipality and its accordance cannot be overestimated". The second comment deals with the ten commandments of zoning and the first two, the important are, there shall be no zoning before a Master Plan and no zoning shall exist which does not conform to the Master Plan unless

the Governing Body decrees with good reasons.” He points this out because from what he has heard over the past several months is that there are zoning changes that have to be made with respect to our houses of worship, with respect to being proactive with our affordable housing zoning, with respect to the Chestnut Ridge Road corridor, with respect to vacant and dilapidated properties that perhaps need some type of redevelopment. You can’t do the zoning for those without your Master Plan being reconciled to whatever zoning changes you want to make. The benefit allows you as a community to dictate how you wish to see your community developed. It allows you to control the development. There was a comment made if this must be done this month. No, it does not have to be done this month, it can be done next month. But then why wait until next month. The new Governing Body will be the decision makers as to what if anything is done with respect to the Master Plan. This is just the initial vote and the cost will be spread out over 5 years.

Councilman Marson stated that it’s simple. He is not against thoughtful and useful change. However, the so-called Committee that we had named produced nothing of substance that he could look into. There were no documents summarizing the thoughts. He appreciates everybody’s comments, but the scripted dialogue right now between Councilwoman Gadaleta and Mr. Schettino is the kind of disingenuous staging that is what is so unattractive to our citizens. He has no problem with a useful dialogue which should be tabled until next year and potentially spending an appropriate amount of money to have the plans redone. The problem is very one-sided and that especially multiple names and projects such as 188 or by the way was a prohibited use, not one person commented about that. After listening to everything, he believes that the best course is for the Council to wait until they have been reelected for next year and to proceed appropriately.

Councilwoman Gross stated that the reality is that the Committee had a verbal report. Mr. Preiss addressed this Council at the last meeting, and we all had opportunities to have a dialogue with him. Councilwoman Gross stated that she heard that Councilman Marson and Councilwoman Hayes reached out to Mr. Preiss and had a lengthy conversation. She wishes she could have heard that dialogue so they all could have learned what they had learned at that time. That would have been much more transparent and open for all of us to hear. The other part is that what we do know is that the re-examination does clearly indicate that Mr. Preiss was ready to open the Master Plan and has always been discussed. Councilman Falanga did bring up this topic right before voting on the budget and we thought at that time the cost was \$60,000. That was before we knew about this emergency appropriation and it could be expended over 5 years. If we can’t find \$10,000 per year to cover this, we are really in a sad state. How many times are we going to go against what our professionals are advising us. Our professionals are advising us to do this. On the Agenda tonight is the need for us to tap into a sum of \$250,000 because we did not budget appropriately. That was a concern that she had during the budget and so did our professionals. Another case is 78 Woodcliff. We had negotiated a good deal. Had we voted a different way it would have been driven over to Saddle River that night and we would have had all these assurances and all the things that mattered. We are receiving letters from residents asking us to continue fighting this, and we are, and we are going to hope to get the assurances that we had at the first time. We have heard from our Borough Attorney, Borough Planner,

Zoning Board attorney, Chairperson of the Zoning Board and Councilwoman Gross spoke with several members of our Zoning Board and they are desperate for us to open the Master Plan because they want guidance. Do you want the town to decide the zoning or do you want the zoning board to continue with the spot zoning? The other thing that is a real concern was the possibility of Richard Preiss retiring. From working with him on the Broadway Corridor he is a real asset to our town. He really knows our public. Councilwoman Gross and Councilwoman Hayes walked the corridor with him, and he was telling them what our residents want. Mr. Preiss has the pulse on this. We should not disregard what our professionals are saying.

Councilman Falanga stated that he was the one trying to drive this during the budget and before COVID. He read all the comments from the residents and listened to everyone as well and wanted to echo what Councilwoman Gadaleta said. He thinks that some of the comments towards the motives of Council people, he finds a little distasteful. We are all here as servants. They all come here, even when they disagree, with the best interests of Woodcliff Lake. He has no ulterior motives. He said that 2 meetings ago that this is not a partisan issue and there is no intention, certainly in his mind, to bring massive apartment buildings into town. He heard a lot of confusion tonight. People thinking that we are voting on the Master Plan tonight and that we are adopting some plan that is suddenly going to bring massive development to town. Nothing is further from the truth. What we are deciding tonight, is a decision between doing something or doing nothing. What we have been doing for the past years is nothing. Our Master Plan technically expired for a period during 188 Broadway application which is bad. A rush was done to do a quick re-examination which is what resulted in Mr. Preiss' report from July 22, 2019. He encourages the residents who called in tonight and have any confusion about the process, to look on our Borough website. The Master Plan Re-examination is there. He said this on previous occasion and Mr. Preiss who did appear after the Committee met with representatives of the Zoning Board and the Planning Board, all of who the decision of all the people who met, Council people, Master Plan reps, zoning board reps and our professionals, it was a unanimous decision that we should begin the process. Our own re-examination of 2019 made clear that we had intended to do a comprehensive Master Plan in 2020. Granted we had COVID and he recognizes that, but we need to move forward. When people say what's the rush, Councilman Falanga says why have we waited so long. He is relieved and happy that we are finally starting the process. This is about the future of our town and enables everyone to have input into the process.

Councilwoman Gadaleta stated that she would like to add to her comments. Councilwoman Gadaleta thanked Councilman Falanga for what he had to said. He spelled it all out, he laid the groundwork and she thought he nailed it. Councilwoman Gadaleta also thanked Councilwoman Gross for all her insightful questions. Councilwoman Gadaleta stated to Councilman Marson that she takes a little exception to. First, his comments were very disparaging and very unprofessional. They were very unconstructed, and they were inappropriate for any elected official. She will let him slide because he has only been on the Council for a couple of months. Once you get sworn in in January she hopes that he learns to be a little bit more professional in what he says and not make uncharacteristic accusations against her or any of your fellow council people, whether they agree with you or they don't. That activity does not belong in Woodcliff Lake and the residents, whether Republican, Democrat or Independent, deserve better from our

Council people. Again, she is saying that she was very disappointed in your actions and inappropriate for any Council person and hopes he learns going forward. Additionally, Councilwoman Gadaleta stated that she did not have anything scripted with Mr. Schettino. She had spoken to him today about various aspects of the Master Plan and she asked him if he would be flexible in talking about it tonight and he replied absolutely. That is why she asked Mr. Schettino to join in the conversation. Mr. Schettino spoke from experience, from intelligence and knowing what is best for the town of Woodcliff Lake. Woodcliff Lake residents deserve better from our Council people.

Councilwoman Hayes stated that the Mayor indicated earlier that we have been kicking the can since 2002 and we need to get this done. Councilwoman Hayes stated that her position is not so much is do we need a Master Plan or a comprehensive Master Plan. Yes of course she does for reasons that our professionals have said and Councilman Falanga has said. However, what she is struggling with is if we have been kicking the can since 2002 what the urgency is in the next 3 weeks. She just thinks that the optics are bad, whether the intentions are or not. Even Mr. Schettino said that if we don't get something done in the next month it is certainly not urgent to that extent. Councilwoman Hayes stated that the last time that we met with Mr. Preiss she asked about the vacancy rates on Tice Boulevard and was interested in hearing more about the Hilton and maybe new owners for the Hilton. She made a couple of phone calls and her understanding is that there are two or three possible buyers for the Hilton. She is not sure if this is true or not, but she wants a little more time to confirm it. She appreciates Mr. Preiss' update at the last meeting, and she has a high regard for him. She doesn't think that the forum was enough detail for her to sink her teeth in and understand the path forward. When she and Mr. Marson called Mr. Preiss, he said that probably the way the market is going residential is a high probability for the Tice Boulevard. She did reach out to a Borough employee and knows that there are vacancy issues. She would like to better understand the vacancy rate and maybe residential is inevitable on Tice Boulevard. The million-dollar question will be density. She is just looking for more information as to where we are right now in the middle of COVID. Is a comprehensive Master Plan appropriate currently? Is it possible that we could just do a Tice Boulevard /Chestnut Ridge Road corridor like we did on the Broadway corridor a year or so ago? How much would that cost? Mr. Preiss said that it was possible, and it was absolute possible to wait until February 1<sup>st</sup>. This is not something they have to pass tonight. She is openminded and gets that things are changing with COVID, working from home, empty retail space at 62 Broadway. She is asking for a little more time and a little more detail if we need to spend \$45,000 on a comprehensive Master Plan. Councilwoman Hayes stated that she agrees with everyone's points on the Council. Councilwoman Hayes stated that she would appreciate it if this was pulled off the Agenda tonight.

Council President Singleton stated that we have been at this for a long time so he will make it short and sweet. He has been on the Council for 3 years now and this year as Council President. He respects what everyone is saying but we have 2 candidates that were just elected and coming on board effective January 1<sup>st</sup>. He understands that the Master Plan is very important, but he thinks that that vote belongs to them. Yes, they are governing until the end of December but what we do with the Master Plan belongs to them and the residents as part of that Committee.

For him to make that vote tonight would be something that he is not comfortable doing. He respects what everyone said this evening. Where he sits it should be the vote for the new Council coming on board.

MOTION to introduce Ordinance No. 20-08 was made by Councilman Falanga, second by Councilwoman Gadaleta.

Roll Call:

Introduction: Councilman Falanga

Second: Councilwoman Gadaleta

Ayes: Falanga, Gadaleta, Gross, Rendo

Nays: Hayes, Marson, Singleton

Abstain: None

Absent: None

### **CONSENT AGENDA**

MOTION to approve the Consent Agenda was made by Councilman Falanga, second by Councilwoman Gadaleta and approved by Councilman Falanga, Councilwoman Gadaleta, Councilwoman Gross, Councilwoman Hayes, Councilman Marson and Council President Singleton.

### **NON-CONSENT AGENDA**

Resolution No. 20-258      Resolution of the Borough of Woodcliff Lake Condemning Racism and Committing to Being an Anti-Racist and Inclusive Borough

Roll Call:

Introduction: Councilwoman Gross

Second: Councilwoman Gadaleta

Ayes: Falanga, Gadaleta, Gross, Hayes, Marson, Singleton

Nays: None

Abstain: None

Absent: None

Resolution No. 20-259      Resolution Approving Appearance of All Members of the Governing Body and Professionals to Appear Via Audio and Video

Roll Call:

Introduction: Councilwoman Gadaleta

Second: Councilwoman Gross

Ayes: Falanga, Gadaleta, Gross, Hayes, Marson, Singleton

Nays: None

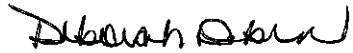
Abstain: None

Absent:       None

**ADJOURNMENT**

MOTION to adjourn was made by Councilwoman Gross, second by Councilwoman Gadaleta and unanimously approved by voice call vote. Meeting was adjourned at 9:40 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deborah Dakin". The signature is written in a cursive, flowing style.

Deborah Dakin, RMC, CMR  
Borough Clerk

Mayor and Council Meeting, December 7, 2020

Public Comments from Gwenn Levine, 65 Campbell Ave., WCL

I would like to read comments I have prepared for this meeting regarding Resolution 20-258.

Because a review of the Master Plan is being rushed toward approval this month, and because the current Master Plan has already been updated and is compliant, I'm suspicious of the motives behind this change. Given this, I'm sad to say that I don't trust our Mayor and certain members of our Council. Here's why:

When the owners of 188 Broadway were presenting their case to the Zoning Board months ago, I wondered why they would spend about \$4.5 million to buy the property without first being sure they'd be approved for multiple variances that were required in order for them to build a 60-unit apartment complex there. Then it occurred to me that they must have been given some informal assurances, prior to purchasing the property, that they'd be approved for those variances. Given this, they went ahead and bought the property.

Then residents attended months of Zoning Board meetings to protest the building of a 60-unit apartment complex in a single family residential neighborhood. Eventually, based on issues raised by residents, the Zoning Board unanimously turned down 188 Broadway. It's my understanding that the owners of 188 then filed a lawsuit against WCL. I haven't heard a thing about this since then.

Now, all of a sudden, the M&C are rushing to spend \$45,000 for a review of the town's Master Plan to address land use on Broadway and elsewhere. Why the rush? If any changes are needed, why not allow the M&C to consider such changes during their upcoming meetings? Why not give residents plenty of time to review and comment on any proposed changes?

As I understand it, the primary reason that review of the Master Plan is being pushed toward approval this month would be to address several issues with respect to land use including, but not limited to, the Broadway corridor, properties in need of redevelopment, large office complexes, zoning ordinance changes, and multi-family housing. What a coincidence!

I'm guessing that the owners of 188 Broadway – and perhaps other developers as well – will now get a green light to proceed, with few if any variances required, and no consideration whatsoever for the concerns of residents. This seems to be a back door way to give the owners of 188 what must have been promised to them, behind the scenes, at the outset.

The rush to change the Master Plan clearly indicates that there's some type of agenda going on, some type of game being played, some way that the town of WCL is kowtowing to developers. This is not OK. I will be deeply disappointed in the Mayor and members of the Council if changes to the Master Plan are rushed through by the end of this month for no legitimate reason.

If truly necessary, changes to the Master Plan can be considered during upcoming meetings in 2021. But once new Council members are sworn in next month, perhaps the Mayor will no longer have the votes he needs to kowtow to developers. I think this explains the rush to approve Master Plan changes by the end of this month. And this is why I no longer trust the Mayor and members of the Council who support this approach.

Mary Ellen Offer  
6 Winding Way  
Woodcliff Lake, NJ 07677

December 6, 2020

Via email

Attention to Borough Clerk Deborah Dakin at [clerk@wclnj.com](mailto:clerk@wclnj.com)

To: Mayor Carlos Rendo and All Members of the Council

**RE: Proposal to reopen the MASTER PLAN for Woodcliff Lake**

Dear Mayor and Councilpersons:

Please accept my comments for entry into the record of, and to be read into the record at your ZOOM meeting scheduled at 5:30pm on Monday DECEMBER 7, 2020 on the above serious and extraordinary matter. I cannot be "present in person". Per the December 4th posted notice the meeting is to be open to the public after the closed session, and expected to start at 7 p.m. The Agenda has on "the Non-Consent Agenda" **Resolution No.20-258 to re-open the Master Plan** (Sometimes hereinafter referred to as "MP").

**You know this is a major and demonstrably controversial issue. Is the successful opposition to the Broadway Corridor Proposal to be subverted by the Mayor and Counsel adopting Resolution No.20-258 on the Non-Consent Agenda [to re-open the Master Plan]!**

**This critical Action could change the nature of our Borough.** On this occasion I would hope you would publicly answer the questions set forth herein. With the limitations on public participation in Zoom meetings, you owe it to the residents to provide written and posted responses—and provide an opportunity for feedback. This is especially true with a lame duck council!

To begin, (1.a.) has there been a **change** in the position of the NJ League of Municipalities that during the pandemic while unable to hold in-person meetings local governments focus on necessities and avoid proposals, bids and big picture topics that may be deemed controversial by residents? (1.b). What are your compelling reasons to ignore this sound position? This resolution is certainly a "big picture topic."

(2) **Do you deny (a)** in or about, August 2019, the MP was reviewed and its legal adequacy affirmed for an extended period; and (b) that status protects the Borough against challenges to the MP over, e.g., the absence of *the right* to e.g., build mixed use properties with retail and parking with apartments above, or absence of the *right* to increased building heights, or perhaps absence of the *right* to build apartment buildings or townhouses?

By opening the MP now, we invite attempts to alter the *primarily residential, single family character of our Borough*. *How many residents want such changes? What justifies taking that chance.* We can properly address exceptions on an exceptional basis.

**(3.) (a.) What, if any, are the legitimate reasons and need for this action? and (b.) at this time and (c) why can't it be deferred into 2021?**

*This Counsel and the Mayor know the informed electorate have serious concerns about this.*

Respectfully there is no need for this action now with 8 years of a protected MP, or during this raging pandemic, and re-opening the MP would have significant costs and potential long term harm to the character of Woodcliff Lake. If there is desire and need for a use not "of right" under our MP we already have a sound procedure to address such cases.

**(4) What has been withheld from residents at large** that can't await in-person meetings and open discussions, e.g., at the Tice Corners seniors' hall?

**This urgency [other than the upcoming change in Council]** suggests ulterior interests, likely connected to the realm of real estate and business development. And, raises concerned curiosity as to who looks to profit from the inevitable changes to our zoning laws.

**It is inappropriate for the lame duck council to push through the re-opening of our Master Plan, with the substantial costs entailed, without compelling reason and where our MP has 8 years of legally protected life.**

It is disconcerting that this Mayor and Council are once again ready to move forward with voting by resolution to re-open our recently reviewed MP **without any showing of actual benefit to the Borough of Woodcliff Lake or disclosure of potential risks and costs.** The campaign rhetoric was self-serving, inaccurate and deficient. Before such re-opening is voted upon, our government owes the residents reasonable and necessary information and opportunity to discuss and respond on the merits to this material change unleashed by this resolution.

I and likely the majority of residents (were they to be informed and asked) would oppose this action, and we submit you **WITHDRAW or VOTE NO on Resolution No. 20-258 and defer this matter to the incoming Council which better reflects the position of the residents.**

Respectfully submitted,

*Mary Ellen Offer*

Mary Ellen Offer, Winding Way resident since 12/1/1975

## Debbie Dakin

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**From:** Cheryl Dispoto <Cadispoto@aol.com>  
**Sent:** Sunday, December 06, 2020 10:10 PM  
**To:** Mayor Carlos Rendo; Angela Hayes; Brian Singleton; Councilman Stephen Falanga; councilmanmarson@wclnj.com; Jacqueline Gadaleta; Nancy Gross  
**Cc:** Debbie Dakin  
**Subject:** Master Plan Vote

Dear Mayor and Council:

I write to express my disappointment in the conduct of the governing body to use the last two meetings of the year to jam through a vote to make a significant expenditure to reopen WCL's Master Plan. As you know, WCL did an update of its MP in August 2019 to achieve compliance for 10 years. While I understand there is a recommendation by the planner to do a complete reexamination, there is no good reason and certainly no emergency to have a lame duck council jam it through in the last month of the year. In fact, it is always a slap in the face to the voting public to play games with a lame duck council and WCL residents see right through it. I have heard some of you say from the dais that you are not doing this for any development deals or to help your developer friends. If that is truly the case, then this vote most certainly can wait until next year. In fact, by your actions to rush this through you are creating a great deal of public mistrust. This is a small town. If you really have no back door real estate deals in play and your intentions are as pure as some of you suggest they are then ask yourselves... is it really necessary to create this much strife with the public? The presentation last month by the planner was lacking in detail and specifics. Why not just tell the public you are looking to add multi-family housing in WCL? If you read the current MP, you will see that multi-family is the only thing WCL currently prohibits. We are predominantly single family residential with two small commercial corridors. Most of our land use issues have already been addressed in prior ordinances. At this point, let the new Council revisit this issue in 2021 as we come out of the pandemic economy. Unless of course you're in a hurry to pave the way for more development projects you are withholding from the public? With regard to tomorrow's meeting, please rearrange the agenda to open to the public after you discuss town issues and particularly this one. I have observed that very recently the meetings are opening to the public for comment before any discussion. While nothing precludes you from doing so it stifles public comment and it is simply bad form.

Regards,  
Cheryl A. Dispoto  
WCL Resident

PATRICIA A. KEENAGHAN  
24 HIGHVIEW AVENUE  
WOODCLIFF LAKE, NEW JERSEY 07677

December 7, 2020

Dear Mayor Rendo,  
Councilman Singleton,  
Councilman Falanga,  
Councilwoman Gadaleta,  
Councilwoman Gross,  
Councilwoman Hayes,  
Councilman Marson

Re: Resolution No. 20-258

The Borough of Woodcliff Lake completed a Re-Examination of the Master Plan in July, 2019. The plan encompasses several projects, but possibly not all that one can envision. To add or amend the plan 17 months later invalidates the hard work and expense spent last year without any attention to what it said.

At this time during a pandemic when business at town meetings should be limited to essential and pressing matters the need to prioritize reviewing a Master Plan done only 17 months ago does not meet these criteria.

This is also the second to last meeting of the current council. This agenda item, if warranted to spend \$45,000, is not a priority, nor is it a matter of health and safety. It is not the time to begin such a costly undertaking but time to accomplish pending tasks.

Thank you for using good judgement and not incurring this expense at this time.

Respectfully submitted,

Patricia Keenaghan

## Debbie Dakin

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**From:** Peter Bernich <pjbernich@optonline.net>  
**Sent:** Sunday, December 06, 2020 1:45 PM  
**To:** CLERK@WCLNJ.COM  
**Subject:** Resolution 20-258

To the Mayor and Council Members:

It is unreasonable for you to consider Resolution 20-258 reexamining our Master Plan since it was recently established that the existing Master Plan conforms to the planning laws of the state and therefore is at the least adequate to serve the towns needs for the foreseeable future keeping the character of our town in concert with the desires of its residents, especially those residing on the East Side which would high risk of overdevelopment.

The effort to consider Resolution 20-258 would be a waste of time and money.

Thank you for your consideration,

Peter and Marie Bernich  
15 Cressfield Court

**BOROUGH OF WOODCLIFF LAKE**  
**Bergen County, New Jersey**

**ORDINANCE NO. 20-05**

**AN ORDINANCE TO ADD CHAPTER 135 ENTITLED "CERTIFICATE OF CONTINUING OCCUPANCY"  
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**, Borough of Woodcliff Lake Code Part II is entitled "GENERAL LEGISLATION" and sets requirements for certain certificates, permits and licenses the Borough of Woodcliff Lake; and

**WHEREAS**, Mayor and Council of the Borough of Woodcliff Lake, wish to amend and update the requirements in Part II to include Chapter §135 entitled "Certificates of Continuing Occupancy" to include certain inspections for re-sale or other change of occupancy of a property.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, as follows:

That Chapter §135 entitled "CERTIFICATE OF CONTINUING OCCUPANCY" shall be added to Part II entitled "GENERAL LEGISLATION" and shall read as follows:

**Chapter 135 Certificate of Continuing Occupancy**

**135-1 Title**

This chapter shall be known as the "Woodcliff Lake Certificate of Continuing Occupancy Ordinance."

**135-2 Purpose**

No person shall occupy or use any portion of a residential building after such building or portion thereof has been vacated or sold, until the owner or landlord thereof shall have applied for and secured a certificate of continuing occupancy. Such certificate shall be issued upon a determination by the Enforcement Officer that, based upon a general inspection of the visible part of the building and the portion thereof that has been vacated or sold, there are no imminent hazards, **outstanding permits nor illegal connections** and that the premises in question is in compliance with the applicable building, health, safety, zoning and fire codes, regulations, ordinances, and statutes of the Borough of Woodcliff Lake and the State of New Jersey.

**135-3 Certificate Required; Issuance of Certificate**

- a. Prior to sale of any residential building involving a new occupancy, the Enforcement Officer shall issue a certificate of continuing occupancy in accordance with the standards set forth in the purpose detailed in §135-2.
- b. A certificate of continuing occupancy shall include verification that all permits issued have

been closed, legible house numbers are placed on the front of the property, verification that sump pumps are not piped into the sanitary sewer system and are discharged properly and that dead bolts on the front door are keyless on the interior side of the door.

- c. No certificate of continuing occupancy may be issued to a residential building or any portion thereof unless an approved smoke detector device, carbon monoxide device and a portable fire extinguisher have been installed as required by applicable Borough Ordinance and State statute **and all items set forth in paragraph b above have been verified.**
- d. A certificate of continuing occupancy shall expire six (6) months after the date of issuance.

#### **135-4 Application for Certificate**

Prior to the sale of any residential building or any portion thereof, the owner thereof shall apply to the Woodcliff Lake Building Department, on an appropriate form, for a certificate of continuing occupancy.

#### **135-5 Time Limit for Issuance or Denial of Certificate**

The Enforcement Officer shall conduct an inspection of said residential building or portion thereof which is to be sold, within a reasonable time, not exceeding ten (10) business days after completion of said application and verification of closed permits, and shall issue a certificate of continued occupancy, provided that the standards set forth in §135-2 have been satisfied and, in the case of residential buildings, that the premises is in compliance with the requirement of installation of a smoke detector, carbon monoxide detector and a portable fire extinguisher.

#### **135-6 Failure to Comply**

If, after inspection by the Enforcement Officer, a certificate of continuing occupancy may not be issued to the residential building or portion thereof because of the existence of a violation of any code or failure to comply with the standards set forth in §135-2 of this section, notice shall be given by the Enforcement Officer to the owner detailing the violations of applicable laws, regulations or ordinances. The Enforcement Officer shall have authority to issue any summons or complaint for any violation of any ordinance, statute or regulation against the owner and/or occupant of the residential building or portion thereof wherein the violation exists. In the event that any violations are found to exist, there shall be no new occupancy or use of the premises until the criteria has been satisfied for the issuance of the certificate of continuing occupancy.

#### **135-7 Fees**

The following fees shall be applicable for the inspection and issuance of a certificate of continuing occupancy, including the smoke detector and carbon monoxide detector compliance:

- a. For one-family homes, individual townhouses, individual condominiums, cooperative units and apartment units the fee shall be one hundred (\$100) dollars.
- b. The fee for all re-inspections required for the issuance of the certificate shall be one-half (1/2) of the original fee or fifty (\$50) dollars.

**135-8 Penalties**

Any person violating any of the provisions of this article shall, upon conviction thereof, shall be punishable by one or more of the following: a fine of not more than \$1,000.

BOROUGH OF Woodcliff Lake  
Bergen County, New Jersey

**ORDINANCE NO. 20-06**

**AN ORDINANCE TO AMEND CHAPTER 163 ENTITLED "FEES" 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**, Borough of Woodcliff Lake Code Chapter §163-1 sets forth the schedule of most fees for the Borough of Woodcliff Lake; and

**WHEREAS**, Mayor and Council of the Borough of Woodcliff Lake, wish to amend and update the fees contained Chapter §163-1 to include Mechanical Subcode Fees.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Woodcliff Lake, Bergen County, New Jersey, as follows:

That Chapter §163-1. entitled "FEE" shall be amended and shall be read and as follows:

**§ 163-1. Fee Schedule established. [Amended 12-21-1987 by Ord. No. 87-12; 4-6-2009 by Ord. No. 09-05; 11-4-2009 by Ord. No. 09-16; 6-20-2011 by Ord. No. 11-07; 11-19-2012 by Ord. No. 12-18; 12-19-2016 by Ord. No. 16-21; 4-2-2018 by Ord. No. 18-03; 3-18-2019 by Ord. No. 19-01]**

The following Schedule of Fees is hereby established with respect to licenses, permits and activities required or regulated under the provisions of various chapters of the Code of the Borough of Woodcliff Lake. Applications for the issuance of such licenses and permits shall be subject to the provisions of the specific chapter of the Code which is indicated for each type of license or permit. The business, activity or operation for which the license or permit is required shall be subject to all regulations set forth in the chapter to which reference is made.

	Fee
<b>MECHANICAL SUB CODE FEE (for R-3 &amp; R-5 use groups)</b>	
<b>Minimum project fees</b>	\$100
Installation or replacement of heating and cooling equipment	\$150

Refrigeration	\$150
Air Conditioning System (Condenser & Handler)	\$150
Air Conditioning – Condenser or Handler only	\$ 75
Gas Piping	\$100
Ventilation apparatus	\$150
Heating systems	\$150
Generators	\$150
Pool Heaters	\$150
Chimney liner	\$100
Water Heater	\$100
Boiler or Furnace	\$150
Oil Tank Piping	\$100
Fireplace	\$150

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.

**AN ORDINANCE OF  
THE BOROUGH OF WOODCLIFF LAKE, NEW JERSEY**

**ORDINANCE NO. 20-07**

**AN ORDINANCE ENTITLED "ABANDONED PROPERTIES"**

**WHEREAS**, the Borough of Woodcliff Lake ("Borough") has determined that the following shall constitute Abandoned Properties in the Borough.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, as follows:

Article 1. Abandoned Property Rehabilitation Act.

Sec. 233-1. Definitions.

Abandoned Property – Any property that is determined to be abandoned pursuant to P.L. 2003, C. 210 (N.J.S.A. 55:19-78 et al)

Public Officer – A person designated or appointed by the municipal Governing Body pursuant to Section 3 of P.L. 1942, C. 112 (N.J.S.A. 40:48-2.5).

Article II: Registration Requirements.

Sec. 233-2.

Effective August 1, 2017, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of notice by the municipality, file a registration statement for such vacant property with the Property Maintenance Inspector on forms provided by the Borough for such purposes. Failure to receive notice by the municipality shall not constitute grounds for failing to register the property.

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number and email address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceedings on behalf of such owner or owners in a connection with the enforcement of any applicable code; and the name, street address, telephone number and email (if applicable) of the firm and the actual name(s) of the firms individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two

entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.

- C. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be pro-rated through December 31. The owner shall be required to renew the registration annually as long as the building remains a vacant and/or abandoned property and shall pay a registration or renewal fee for each vacant property registered.
- D. The annual renewal shall be completed by January 1<sup>st</sup> of each year. The initial registration fee shall be pro-rated for registration statements received less than 10 months prior to that date.
- E. The owner shall notify the Property Maintenance Inspector within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Property Maintenance Inspector for such purpose.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Borough against the owner or owners of the building.

Article III. Access to Vacant Properties.

Sec. 233-3.

The owner of any vacant property registered under this Article shall provide access to the Borough to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m., or such other time as may be mutually agreed upon between the owner and the Borough.

Article IV. Responsible Owner or Agent.

Sec. 233-4.

- A. An owner who meets the requirements of this Article with respect to the location of his or her residence or workplace in the State of New Jersey may designate him or herself as agent or as the individual responsible for maintaining the property.
- B. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section

shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the Borough in writing of a change of authorized agent or until the owner files a new annual registration statement.

- C. Any owner who files to register vacant/abandoned property under the provisions of this article shall further be deemed to consent to receive, by posting on the building, in plain view, and by service of notice at the last known address of the owner of the property on record within the Borough by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

#### Article V. Fee Schedule.

##### Sec. 233-5.

The initial registration fee for each building shall be five hundred (\$500.00) dollars. The fee for the first renewal is one thousand five hundred (\$1,500.00) dollars, and the fee for the second renewal is three thousand (\$3,000.00) dollars. The fee for any subsequent renewal beyond the second renewal is five thousand (\$5,000.00) dollars.

##### Vacant Property Registration Fee Schedule

Initial Registration	\$ 500.00
First Renewal	\$1,500.00
Second Renewal	\$3,000.00
Subsequent Renewal	\$5,000.00

##### Sec. 233-6. Inventory of Abandoned Property.

Inventory of abandoned property; list to be maintained; publication in official newspaper; notice to owner of record; challenge by owner (from N.J.S.A. 55:19-55): The Borough of Woodcliff Lake may direct the public officer to identify abandoned property for the purpose of establishing an abandoned property list through the Borough, or within those parts of the Borough as the Governing Body may designate. Each item of abandoned property so identified shall include the tax block and lot number, the name of the owner of record, if known, and the street address of the lot.

- A. The public officer shall establish and maintain a list of abandoned property, to be known as the "abandoned property list." The Borough of Woodcliff Lake may add properties to the abandoned property list at any time and may delete properties at any time when the public officer finds that the property no longer meets the definition of an abandoned property. An interested party may request that a property be included on the abandoned property list following that procedure set forth in Section 31 of L. 2003, C. 210 (N.J.S.A. 55:19-105).
- B. An abandoned property shall not be included on the abandoned property list if rehabilitation is being performed in a timely manner, as evidenced by building permits issued and diligent pursuit of rehabilitation work authorized by those permits. A

property on which an entity other than the Borough has purchased or taken assignment from the Borough of a tax sale certificate which has been placed on the abandoned property list may be removed in accordance with the provisions of Section 29 of P.L. 2003, C. 210 (N.J.S.A. 55:19-103).

- C. The public officer shall establish the abandoned property list or any additions thereto by publication in the official newspaper of the Borough of Woodcliff Lake which publication shall constitute public notice and, within 10 days after publication, shall send a notice by certified mail, return receipt requested, and by regular mail to the owner of record of every property included on the list. The published and mailed notices shall identify property determined to be abandoned, setting forth the owner of record, if known, the tax lot and block number and street address. The public officer, in consultation with the Tax Collector shall also send out a notice by regular mail to any mortgagee, servicing organization or property tax processing organization that receives a duplicate copy of the tax bill pursuant to subsection d. of N.J.S.A. 54:4-64. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the Tax Collector, notice shall not be mailed but instead shall be posted on the property in the manner as provided in Section 5 of P.L. 1942, C. 112 (N.J.S.A. 40:48-2.7). The mailed notice shall indicate the factual basis for the public officer's finding that the property is abandoned property as that term is defined in Section 35 of P.L. 1996, c. 62 (N.J.S.A. 55:19-54) and the rules and regulations promulgated thereunder, specifying the information relied upon in making such finding. In all cases a copy of the mailed or posted notice shall also be filed by the public officer in the office of the county clerk or register of deeds and mortgages, as the case may be, of the county wherein the property is situated. This filing shall have the same force and effect as a notice of list pendens under N.J.S.A. 2A:15-6. The notice shall be indexed by the name of the property owner as defendant and the name of the Borough as plaintiff, as though an action had been commenced by the Borough against the owner.
- D. An owner or lienholder may challenge the inclusion of his property on the abandoned property list determined pursuant to Subsection B of this section by appealing that determination to the public officer within 30 days of the owner's receipt of the certified notice or 40 days from the date upon which the notice was sent. An owner whose identity was not known to the public officer shall have 40 days from the date upon which notice was published or posted, whichever is later, to challenge the inclusion of a property on the abandoned property list. For good cause shown, the public officer shall accept a late filing of an appeal. Within 30 days of receipt of a request of an appeal of the findings contained in the notice pursuant to Subsection D of this section, the public officer shall schedule a hearing for redetermination of the matter. Any property included on the list shall be presumed to be abandoned property unless the owner, through the submission of an affidavit or certification by the property owner averring that the property is not abandoned and stating the reasons for such averment, can demonstrate that the property was erroneously included on the list. The affidavit or certification shall be accompanied by supporting documentation, such as but not limited

to photographs, and repair invoices, bills and construction contracts. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined in Section 35 of P.O. 1996, c. 62 (N.J.S.A. 55:19-54). The public officer shall decide any timely filed appeal within 10 days of the hearing on the appeal and shall promptly, by certified mail, return receipt requested, and by regular mail, notify the property owner of the decision and the reasons therefor.

- E. The property owner may challenge an adverse determination of an appeal with the public officer pursuant to Subsection E of this section, by instituting, in accordance with the New Jersey Court Rules, a summary proceeding in the Superior Court, Law Division, sitting in the county in which the property is located, which action shall be tried de novo. Such action shall be instituted within 20 days of the date of the notice of decision mailed by the public officer pursuant to Subsection E of this section. The sole ground for appeal shall be that the property in question is not abandoned property as that term is defined in Section 35 of P.L. 1996, c. 62 (N.J.S.A. 55:19-54). The failure to institute an action of appeal on a timely basis shall constitute a jurisdictional bar to challenging the adverse determination, except that, for good cause shown, the court may extend the deadline for instituting the action.
- F. The public officer shall promptly remove any property from the abandoned property list that has been determined not to be abandoned on appeal.
- G. The abandoned property list shall become effective, and the Borough shall have the right to pursue any legal remedy with respect to properties on the abandoned property list at such time as any one property has been placed on the list in accordance with the provisions of this section, upon the expiration of the period for appeal with respect to that property or upon the denial of an appeal sought by the property owner.

#### Section 233-7. Sale of Tax Lien.

Sale of tax lien on abandoned property; remediation costs (from N.J.S.A. 55:19-56):

- A. Notwithstanding N.J.S.A. 54:5-19 or the provisions of any other law to the contrary, if a property is included on the abandoned property list and the property taxes or other Municipal liens due on the property are delinquent six or more quarters as of the date of expiration of the right to appeal inclusion on the list, or, if an appeal has been filed, as of the date that all opportunities for appeal of inclusion on the list have been exhausted, then the tax lien on the property may be sold in accordance with the procedures in the "Tax Sale Law", N.J.S.A. 54:5-1 et seq., on or after the 90<sup>th</sup> day following the expiration of that time of appeal or final determination on an appeal, as appropriate. The Borough of Woodcliff Lake may, at its option, require that the sale of the tax sale certificate or any subsequent assignment or transfer of a tax sale certificate held by the Municipality be subject to the express condition that the purchaser or assignee shall be obliged to perform and conclude any rehabilitation or repairs necessary to remove the property from the abandoned property list pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A.

55:19-55) and to post a bond in favor of the Borough to guarantee the rehabilitation or repair of the property. The public officer may waive a requirement to post a bond imposed by the Borough of Woodcliff Lake for any purchaser, assignee or transferee of a tax sale certificate that provides documentation acceptable to the public officer that the purchaser, assignee or transferee is a qualified rehabilitation entity as defined in Section 3 of P.L. 2003, c. 210 (N.J.S.A. 55:19-0). The cost of rehabilitation and repairs and the cost of the bond shall be added to the amount required to be paid by the owner for redemption of the property. The purchaser, assignee or transferee of the tax sale certificate who is required to rehabilitate and repair the property shall be required to file the appropriate affidavits with the Tax Collector, pursuant to N.J.S.A. 54:5-62, representing the amounts of monies expended periodically toward the rehabilitation or repair of the property. A purchaser, assignee or transferee shall be entitled to interest on the amounts expended, as set forth in the affidavits, at the delinquent rate of interest for delinquencies in excess of \$1500 pursuant to N.J.S.A. 54:4-67 of the Borough in effect for the time period when the amounts were expended. The tax sale certificate purchaser, assignee or transferee, under the auspices and with the authority of the Borough of Woodcliff Lake, shall be permitted to enter in and upon the property for the purposes of appraising the costs of rehabilitation and repair and to perform all other acts required to guarantee the completion of the rehabilitation or repair of the property. No rehabilitation or repair work shall be commenced, however, until proof of adequate liability insurance and an indemnification agreement holding the Borough of Woodcliff Lake harmless is filed with the public officer. If the tax sale certificate is not purchased at the initial auction of the tax sale certificate and the Borough purchases the certificate pursuant to N.J.S.A. 54:5-34, then the Borough of Woodcliff Lake is authorized and empowered to convey and transfer to the authority or any of its subsidiaries, without receiving compensation therefor, all of its right, title and interest in that certificate; however, any portion of the amount paid to the Tax Collector to redeem the tax sale certificate that represents tax or other municipal lien delinquencies and subsequent municipal liens, including interest, shall be returned by the Tax Collector to the Borough of Woodcliff Lake.

**B. Remediation.**

(1) If the Borough of Woodcliff Lake or the authority or its subsidiaries acquires the tax sale certificate for a property on the abandoned property list, then, upon 10 days written notice to the property owner and any mortgagee as of the date of the filing of the lis pendens notice under subsection d. of Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55), that entity shall be permitted to enter upon the property and remediate any conditions that caused the property to be included on the abandoned property list. No remediation shall be commenced, however, if within that ten day period the owner or mortgagee shall have notified the Borough of Woodcliff Lake of authority or its subsidiary, as appropriate, in writing, that the owner or mortgagee has elected to perform the remediation itself. When the owner or mortgagee elects to perform the remediation itself, it shall be required to post bond in favor of the Borough of Woodcliff Lake or authority or its subsidiaries, as appropriate, in order to ensure performance. The amount and conditions of the bond shall be determined by the public officer.

(2) The cost of remediation incurred by the Borough or the authority or its subsidiaries pursuant to this subsection, as so certified by the entity incurring the cost upon completion of the remediation, shall constitute a lien upon the property first in time and right to any other lien, whether the other lien was filed prior to or after the filing of any lien by the Borough of Woodcliff Lake or the authority, except for municipal taxes, liens and assessments and any lien imposed pursuant to the "Spill Compensation and Control Act" P.L. 1976, c. 141 (N.J.S.A. 58:10-23.11 et seq), together with any interest thereon. The certification of cost shall be filed and recorded as a lien by the entity incurring the cost with the county clerk or register of deeds and mortgages, as appropriate, in the county in which the property is located.

C. Failure to Remediate.

(1) Failure of an owner or lienholder to remove a property from the abandoned property list within the period of time for appeal of inclusion of the property on the list pursuant to Subsection e. of Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55) shall be prima facie evidence of the intent of the owner to continue to maintain the property as abandoned property.

(2) The clearance, development, redevelopment or repair of property being maintained as an abandoned property pursuant to Subsection C(1) of this section shall be a public purpose and public use for which the power of eminent domain may be exercised.

Section 233-8. Removal from List.

- A. An owner may remove a property from the list of abandoned properties prior to sale of the tax sale certificate by paying all taxes and municipal liens due including interest and penalties, and:
- (1) By posting cash or a bond equal to the cost of remediating all conditions because of which the property has been determined to be abandoned pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55) and posting cash or bond to cover the cost of any environmental cleanup required on the property, evidenced by a certification by a licensed engineer retained by the owner and reviewed and approved by the public officer stating that the cash or bond adequately covers the cost of the cleanup; or
  - (2) By demonstrating to the satisfaction of the public officer that the conditions rendering the property abandoned have been remediated in full; provided, however, that where the public officer finds that the owner is actively engaged in remediating the conditions because of which the property was determined to be abandoned pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55), as evidenced by significant rehabilitation activity on the property, the public officer may grant an extension of time of not more than 120 days for the owner to complete all work,

during which time no further proceedings will be taken against the owner or the property.

- B. If the owner has posted cash or a bond in order to have a property removed from the abandoned property list and the conditions because of which the property as determined to be abandoned have not been fully remediated within one year of the date of posting the cash or bond, or in the case of a property which requires a remediation of any known, suspected or threatened release of contaminants, if the owner has failed to enter into a memorandum of agreement with the Department of Environmental protection or an administrative consent order, as the case may be, or if an agreement or order is in effect but the owner has failed to perform the remediation in conformance with the agreement or order, then the cash or bond shall be forfeited to the Borough which shall use the cash or bond and any interest which has accrued thereon for the purpose of demolishing or rehabilitating the property or performing the environmental remediation. Any funds remaining after the property has been demolished, rehabilitated or cleaned up shall be returned to the owner.

#### Section 233-9. Action to Foreclose Right of Redemption.

- A. When a person other than the Borough of Woodcliff Lake or the authority or its subsidiaries acquired a tax sale certificate for a property on the abandoned property list at tax sale, the purchaser may institute an action to foreclose the right of redemption at any time after the expiration of six months following the date of the seal of the tax sale certificate.
- B. When the Borough of Woodcliff Lake is the purchaser at tax sale of any property on the abandoned property list pursuant to N.J.S.A. 4:5-34, or when the authority or any of its subsidiaries acquires the tax sale certificate pursuant to subsection a of Section 37 of P.L. 1996, c. 62 (N.J.S.A. 54:5-104.34), an action to foreclose the right of redemption may be instituted in accordance with the provisions of subsection b. of N.J.S.A. 54:5-77.
- C. After the foreclosure action is instituted, the right to redeem shall exist and continue to exist until barred by the judgment of the Superior Court; provided, however, that no redemptions shall be permitted except where the owner:
  - (1) posts cash or a bond equal to the cost of remediating the conditions because of which the property was determined to be abandoned pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-56), as determined by the court; or
  - (2) demonstrates to the court that the conditions because of which the property was determined to be abandoned pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-56) have been remedied in full.

#### Section 233-10. Final Judgment.

Entry of final judgment barring right of redemption; grounds for reopening judgment (form N.J.S.A. 55:19-59). Once a final judgment barring the right of redemption with respect to a property on the list of abandoned properties has been recorded, no court shall reopen such judgment at any time except on the grounds of lack of jurisdiction or fraud in the conduct of the action; in any such proceeding, the provisions of P.L. 1996, c. 62 (N.J.S.A. 55:19-20 et al) shall be construed liberally in favor of the purchaser, assignee or transferee of the tax sale certificate.

#### Article VII. Rehabilitation of Abandoned Properties.

##### Section 233-11. Legislative Findings and Declarations.

- A. Abandoned properties create a wide range of problems for the Borough of Woodcliff Lake, fostering criminal activity, creating public health problems and otherwise diminishing the quality of life for residents and business operators in those areas.
- B. Abandoned properties diminish the property values of neighboring properties and have a negative effect on the quality of life of adjacent property owners, increasing the risk of property damage through arson and vandalism and discouraging neighborhood stability and revitalization.
- C. For these reasons, abandoned properties are presumptively considered to be nuisances, in view of their negative effects on nearby properties and the residents or users of those properties.
- D. The continued presence of abandoned properties in the Borough of Woodcliff Lake acts as a significant barrier to the Borough's continue progressive development and revitalization.
- E. The responsibility of a property owner to maintain a property in sound condition and prevent it from becoming a nuisance to others extends to properties which are not in use and "demolition by neglect", leading to the deterioration and loss of the property, or failure by an owner to comply with legitimate orders to demolish, stabilize or otherwise repair his or her property creates a presumption that the owner has abandoned the property.

##### Section 233-12. Definitions.

As used in this Chapter, the following terms shall have the meanings indicated:

Department – The New Jersey Department of Community Affairs.

Lienholder of Mortgage Holder – Any person or entity holding a note, mortgage or other interest secured by the building or any part thereof.

Owner – The holder or holders of title to an abandoned property.

Property – Any building or structure and the land appurtenant thereof.

Public Officer – The person designated by the Borough of Woodcliff Lake pursuant to Section 3 of P.L. 1942, c. 112 (N.J.S.A. 40:48-2.5), or any officer of the borough of Woodcliff Lake qualified to carry out the responsibilities set forth in P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) and designated by the Mayor and Council of the Woodcliff Lake.

Qualified Rehabilitation Entity – An entity organized or authorized to do business under the New Jersey statutes, which shall have as one of its purposes the construction or rehabilitation of residential or nonresidential buildings, the provision of affordable housing the restoration of abandoned property, the revitalization and improvement of urban neighborhoods, or similar purpose, and which shall be well qualified by virtue of its staff, professional consultants, financial resources, and prior activities set forth in P.L. 2003, c. 10 (N.J.S.A. 55:19-78 et al.) to carry out the rehabilitation of vacant buildings in urban areas.

#### Section 233-13. Abandoned Property; Criteria.

- A. Except as provided in Section 6 of P.L. 2003, c. 210 (N.J.S.A. 55:19-83), any property that has not been legally occupied for a period of six months and which meets any one of the following additional criteria may be deemed to be abandoned property upon a determination by the public officer that:
  - (1) the property is in need of rehabilitation in the reasonable judgment of the public officer and no rehabilitation has taken place during that six-month period;
  - (2) construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no construction has taken place for at least six months as of the date of a determination by the public officer pursuant to this section;
  - (3) at least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes as of the date of a determination by the public officer pursuant to this section; or
  - (4) the property has been determined to be a nuisance by the public officer in accordance with Section 5 of P.O. 2003, c. 210 (N.J.S.A. 55:19-82).
- B. A property which contains both residential and nonresidential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55: 119-78 et al.) so long as 2/3 or more of the total net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months at the time of the determination of abandonment by the public officer and the property meets the criteria of either Subsection A(1) or A(4) of this section.

#### Section 233-14. Nuisance Property; Criteria.

- A. A property may be determined to be a nuisance if:
  - (1) the property has been found to be unfit for human habitation, occupancy or use pursuant to Section 1 of P.L. 1942, c. 112 (N.J.S.A. 40:48-2.3);

(2) the condition and vacancy of the property materially increases the risk of fire to the property and adjacent properties;

(3) the property is subject to unauthorized entry leading to potential health and safety hazards; the owner has failed to take reasonable and necessary measures to secure the property; or the Borough of Woodcliff Lake has secured the property in order to prevent such hazards after the owner has failed to do so;

(4) the presence of vermin or the accumulation of debris, uncut vegetation or physical deterioration of the structure or grounds have created potential health and safety hazards and the owner has failed to take reasonable and necessary measures to remove the hazards; or

(5) the dilapidated appearance or other condition of the property materially affects the welfare, including the economic welfare, of the resident of the area in close proximity to the property, and the owner has failed to take reasonable and necessary measures to remedy the conditions.

B. A public officer who determines a property to be nuisance pursuant to Subsections A92) through A(5) of this section shall follow the notification procedures set forth in P.L. 1942, c. 112 (N.J.S.A. 40:48-2.3 et seq.)

Section 233-15. Property Deemed Not Abandoned; Criteria; Certification of Abandonment Provided Upon Request.

1. If an entity other than the Borough of Woodcliff Lake has purchased or taken assignment from the Borough of a tax sale certificate on a property that has not been legally occupied for a period of six months, that property shall not be placed on the abandoned property list pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A.55:19-55) if: (1)the owner of the certificate has continued to pay all Borough taxes and liens on the property in the tax year when due; and (2)the owner of the certificate takes action to initiate foreclosure proceedings within six months after the property is eligible for foreclosure pursuant to either subsection a. or subsection b. of N.J.S.A. 54:5-86, as appropriate, and diligently pursues foreclosure proceedings in a timely fashion thereafter.
2. A property which is used on a seasonal basis shall be deemed to be abandoned only if the property meets any two of the additional criteria set forth in Section 4 of P.L. 2003, c. 210 (N.J.S.A. 55:19-81).
3. A determination that a property is abandoned property under the provisions of P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) shall not constitute a finding that the use of the property has been abandoned for purposes of municipal zoning or land use regulation.
4. Upon the request of a purchaser or assignee of a tax sale certificate seeking to bar the right of redemption on an abandoned property pursuant to Subsection B of N.J.S.A. 54:5-86, the public officer or the Tax Collector shall, in a timely fashion, provide the requester with a certification that the property fulfills the definition of abandoned according to the criteria set forth in Section 4 and 5 of P.L. 2003, c. 210 (N.J.S.A. 55:19-81 and N.J.S.A. 55:19-82)

Section 233-16. Transfer of Possession and Control of Abandoned Property.

- A. A summary action or otherwise to transfer possession and control of abandoned property in need of rehabilitation to the Borough of Woodcliff Lake may be brought by the Borough in the Superior Court in the county in which the property is situated. If the court shall find that the property is abandoned pursuant to Section 4 of P.L. 2003, c. 210 (N.J.S.A. 55:19-81) and the owner or party in interest has failed to submit and initiate a rehabilitation plan, then the court may authorize the Borough to take possession and control of the property and develop a rehabilitation plan.
- B. The Borough of Woodcliff Lake granted possession and control may commence and maintain those further proceedings for the conservation, protection or disposal of the property or any part thereof that are required to rehabilitate the property, necessary to recoup the cost and expenses of rehabilitation and for the sale of the property; provided, however, that the court shall not direct the sale of the property if the owner applies to the court for reinstatement of control of the property as provided in Section 15 of P.L. 2003, c. 20 (N.J.S.A. 55:19-92).
- C. Failure by the owner, mortgage holder or lienholder to submit plans for rehabilitation to the Borough, obtain appropriate construction permits for rehabilitation or, in the alternative, submit formal applications for funding the cost of rehabilitation to local, state or federal agencies providing such funding within that six month period shall be deemed prima facie evidence that the owner has failed to take any action to further the rehabilitation of the property.

Section 233-17. Filing of Complaint; Required Information.

A complaint filed pursuant to Section 7 of P.O. 2003, c. 210 (N.J.S.A. 55:19-84) shall include:

- A. Documentation that the property is on the municipal abandoned property list or a certification by the public officer that the property is abandoned; and
- B. A statement by an individual holding appropriate professional qualifications that there are sound reasons that the building should be rehabilitated rather than demolished based upon the physical, aesthetic or historical character of the building or the relationship of the building to other buildings and lands within its immediate vicinity.

Section 233-18. Filing of Complaint; Notice Requirements; Entry to Secure, Stabilize Repair or Inspect the Property.

- A. Within ten days of filing a complaint pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.), the plaintiff shall file a notice of lis pendens with the county recording officer of the county within which the building is located.
- B. At least thirty (30) days before filing the complaint, the Borough shall serve a notice of intention to take possession of an abandoned building. The notice shall inform the owner and interested parties that the property has not been legally occupied for six months and of those criteria that led to a determination of abandonment pursuant to Section 4 of P.L. 2003, c. 210- (N.J.S.A. 55:19-81).

- (1) the notice shall provide that unless the owner or a party in interest prepares and submits a rehabilitation plan to the appropriate Borough officials, the Borough will seek to gain possession of the building to rehabilitate the property and the associate cost shall be a lien against the property, which may be satisfied by the sale of the property, unless the owner applies to the court for reinstatement of control of the property as provided in Section 15 of P.L. 2003, c. 210 (N.J.S.A. 55:19-92).
- (2) after the complaint is filed, the complaint shall be served on the parties in interest in accordance with the New Jersey Rules of Court.
- C. After serving the notice of intent pursuant to Subsection B of this section, the Borough or its designee may enter upon that property after written notice to the owner by certified mail, return receipt requested, in order to secure, stabilize or repair the property, or in order to inspect the property for purposes of preparing the plan to be submitted to the court pursuant to Section 12 of P.L. 2003, c. 210 (N.J.S.A. 55:19-89).

Section 233-19. Property Owner, Defense Against Complaint; Requirements.

- A. Any owner may defend against a complaint filed pursuant to Section 7 of P.L. 2003, c. 210 (N.J.S.A. 55:19-84) by submitting a plan for the rehabilitation and reuse of the property which is the subject of the complaint and by posting a bond equal to 125% of the amount determined by the public officer or the court to be the projected cost of rehabilitation. Any plan submitted by an owner to defend against a complaint shall be submitted within 60 days after the complaint has been filed, unless the court provides the owner with an extension of time for good cause shown.
- B. A plan submitted by an owner pursuant to this section shall include, but not be limited to:
  - (1) a detailed financial feasibility analysis, including documentation of the economic feasibility of the proposed reuse, including operating budgets or resale prices, or both, as appropriate;
  - (2) a budget for the rehabilitation of the property including sources and uses of funds, based on the terms and conditions of realistically available financing, including grants and loans.
  - (3) a timetable for the completion of rehabilitation and reuse of the property; including milestones for performance of major steps leading to and encompassing the rehabilitation and reuse of the property; and
  - (4) documentation of the qualifications of the individuals and firms that will be engaged to carry out the planning, design, financial packaging, construction, and marketing or rental of the property.
- C. Court Approval.

(1) the court shall approve any plan that, in the judgment of the court, is realistic and likely to result in the expeditious rehabilitation and reuse of the property which is the subject of the complaint.

(2) if the court approves the owner's plan, then it may appoint the public officer to act as monitor of the owner's compliance. If the owner fails to carry out any step in the approved plan, then the Borough may apply to the court to have the owner's bond forfeited, possession of the building transferred to the Borough to complete the rehabilitation plan and authorization to use the bond proceeds for rehabilitation of the property.

(3) the owner shall provide quarterly reports to the Borough on its activities and progress toward rehabilitation and reuse of the property. The owner shall provide those reports to the court on its activities that the court determines are necessary.

- C. The court may reject a plan and bond if it finds that the plan does not represent a realistic and expeditious means of ensuring the rehabilitation of the property or that the owner or his representatives or agents or both, lack the qualifications, background or other criteria necessary to ensure that the plan will be carried out successfully.

**Section 233-20. Owner Unsuccessful in Defending Against Complaint; Mortgage or Lienholders to be Designate in Possession of Property.**

- A. If an owner is unsuccessful in defending against a complaint filed pursuant to Section 7 of P.L. 2003, c. 210 (N.J.S.A. 55:19-84), the mortgage holder or lienholder may seek to be designated in possession of the property by submitting a plan and posting a bond meeting the same conditions as set forth in Section 10 of P.L. 2003, c. 210 (N.J.S.A. 55:19-87). The plan shall be submitted within 60 days after the court has rejected the owner's plan, unless the court provides the mortgage holder or lienholder with an extension of time for good cause shown. If the court approves any such mortgage holder's or lienholder's plan it shall designate that party to be in possession of the property for purposes of ensuring its rehabilitation and reuse and may appoint the public officer to act as monitor of the party's compliance.

(1) the mortgage holder or lienholder, as the case may be, shall provide quarterly reports to the court and the borough on its activities and progress toward rehabilitation and the reuse of the property.

(2) if the mortgage holder or lienholder fails to carry out any material step in the approved plan, then the public officer shall notify the court, which may order the bond forfeit, grant the Borough possession of the property and authorize the Borough to use the proceeds of the bond for rehabilitation of the property.

- B. Any sums incurred or advanced for the purpose of rehabilitating the property by a mortgage holder or lienholder granted possession of a property pursuant to

Subsection A of this section, including court costs and reasonable attorneys' fees, may be added to the unpaid balance due that mortgage holder or lienholder, with interest calculated at the same rate set forth in the note or security agreement or, in the case of a tax lienholder, at the statutory interest rate for subsequent liens.

Section 233-21 Borough of Woodcliff Lake to be Designated in Possession of Property; Submission of Plan to Court.

- A. If no mortgage holder or lienholder meets the conditions of Section 11 of P.L. 2003, c. 210 (N.J.S.A. 55:19-088), then the Borough shall submit a plan to the court which conforms with the provisions of subsection b. of Section 10 of P.L. 2003, c. 210 (N.J.S.A. 55:19-87). The plan shall designate the entity which shall implement the plan, which may be the Borough or that entity designated in accordance with the provisions of Section 13 of P.L. 2003, c. 210 (N.J.S.A. 55:19-90).
- B. The court shall grant the Borough possession of the property if it finds that:
  - (1) the proposed rehabilitation and reuse of the property is appropriate and beneficial;
  - (2) the Borough is qualified to undertake the rehabilitation and reuse of the property; and
  - (3) the plan submitted by the Borough represents a realistic and timely plan for the rehabilitation and reuse of the property.
- C. The Borough shall take all steps necessary and appropriate to further the rehabilitation and reuse of the property consistent with the plan submitted to the court. In making its findings pursuant to this section, the court may consult with qualified parties, including the Department of Community Affairs, and, upon request by a party in interest, may hold a hearing on the plan.
- D. Where either a redevelopment plan pursuant to P.L. 1992, c.79 (N.J.S.A. 40A:12A-1 et seq.) or a neighborhood revitalization plan pursuant to P.L. 2001, c. 415 (N.J.S.A. 52:27D-490 et seq.) has been adopted or approved by the Department of Community Affairs, as appropriate, encompassing the property which is the subject of a complaint, the court shall make a further finding that the proposed rehabilitation and reuse of the property are not inconsistent with any provision of either plan.

Section 233-22. Borough Exercise of Rights to Further Rehabilitation and Reuse of Property; Designation of Qualified Rehabilitation Entity.

- A. The Borough may exercise its rights under P.L. 2003, c. 210 (N.J.S.A. 55:19-778 et al.) directly, or may designate a qualified rehabilitation entity to act as its designee for the purpose of exercising the Borough's rights where that designation will further the rehabilitation and reuse of the property consistent with the Borough's plans and objectives. This designation shall be made by resolution of the Mayor and Council of the Borough of Woodcliff Lake. The

governing body or Mayor, as the case may be, may delegate this authority to the public officer.

- B. Regardless of whether the Borough exercises its rights directly or designates a qualified rehabilitation entity pursuant to this section, while in possession of a property pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.), the Borough shall maintain, safeguard and maintain insurance on the property. Notwithstanding the Borough's possession of the property nothing in P. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) shall be deemed to relieve the owner of the property of any civil or criminal liability or any duty imposed by reasons of acts or omissions of the owner.

Section 233-23. Borough deemed Possessor of Property; Borrowing of Funds; Reporting and Filing Requirements.

- A. If the Borough has been granted possession of a property pursuant to Section 12 of P.L. 2003, c. 210 (N.J.S.A. 55:19-89), that Borough shall be deemed to have an ownership interest in the property for the purpose of filing plans with public agencies and boards, seeking and obtaining construction permits and other approvals, and submitting applications for financing or other assistance to public or private entities.
  - (1) for the purposes of any state program of grants or loans including but not limited to programs of the Department of Community Affairs and the New Jersey Housing and Mortgage Finance Agency, possession of a property under this section shall be considered legal control of the property.
  - (2) notwithstanding the granting of possession to the Borough nothing in P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) shall be deemed to relieve the owner of the property of any obligation the owner or any other person may have for the payment of taxes or other municipal liens and charges, or mortgages or liens to any party, whether those taxes, charges or liens are incurred before or after the granting of possession.
  - (3) the granting of possession shall not suspend any obligation the owner may have as of the date of the granting of possession for payment of any operating or maintenance expense associated with the property, whether or not billed at the time of the granting of possession.
- B. The court may approve the borrowing of funds by the Borough to rehabilitate the property and may grant a lien or security interests with priority over all other liens or mortgages other than municipal liens. Prior to granting this lien priority, the court shall find that: (1) the Borough sought to obtain the necessary financing from the senior lienholder, which declined to provide such financing on reasonable terms; (2) the Borough sought to obtain a voluntary subordination from the senior lienholder, which refused to provide such subordination; and (3) lien priority is necessary in order to induce another lender to provide financing on reasonable terms. No lien authorized by the Court shall take effect unless recorded in the office of the clerk of the county in which the property is located. For the purposes of this section, the cost of rehabilitation shall include

reasonable non-construction costs such as architectural fees or construction permit fees customarily included in the financing of the rehabilitation of residential property.

- C. Where the Borough has been granted possession by the court in the names of the Borough, the Borough of Woodcliff Lake may seek the approval of the court to assign its rights to another entity, which approval shall be granted by the court when it finds that: (1) the entity to which the Borough's rights will be assigned is a qualified rehabilitation entity; and (2) the assignment will further the purposes of this section.
- D. Where the Borough has designated a qualified rehabilitation entity to act on its behalf, the qualified rehabilitation entity shall provide quarterly reports to the Borough of its activities and progress toward rehabilitation and reuse of the property. The Borough or qualified rehabilitation entity, as the case may be, shall provide such reports to the court as the court determines to be necessary. If the court finds that the Borough or its designee have failed to take diligent action toward rehabilitation of the property within one year from the grant of possession, then the court may request the Borough to designate another qualified rehabilitation entity to exercise its rights, or if the Borough fails to do so, may terminate the order of possession and return the property to its owner.
- E. The Borough shall file a notice of completion with the court and shall also serve a copy on the owner and any mortgage holder or lienholder, at such time as the borough has determined that no more than six months remain to the anticipated date on which rehabilitation will be complete. This notice shall include an affidavit of the public officer attesting that rehabilitation can realistically be anticipated to be complete within that time period and a statement setting forth such actions as it plans to undertake to ensure that reuse of the property takes place consistent with the plan.

Section 233-24. Petition for Reinstatement of Control and Possession by Owner.

- A. An owner may petition for reinstatement of the owner's control and possession of the property at any time after one year from the grant of possession, but no later than 30 days after the Borough has filed a notice of completion with the court or, in the event the notice of completion is filed within less than one year of the grant of possession, within 30 days after the borough has filed notice.
- B. The court may allow additional time for good cause if that additional time does not materially delay completion of the rehabilitation, place undue hardship on the borough, or affect any of the terms or conditions under which the Borough has applied for or received financing for the rehabilitation of the property.

Section 233-25. Contents of Petition; Filing and Payment Requirements.

- A. Any petition for reinstatement of the owner's control and possession of the property filed pursuant to Section 15 of P.L. 2003, c. 210 (N.J.S.A. 55:19-92) shall:
  - a. Include a plan for completion of the rehabilitation and reuse of the property consistent with the plan previously approved by the court;

b. Provide legally binding assurances that the owners will comply with all conditions of any grant or loan secured by the Borough to repay those grants or loans in full, at the discretion of the maker of the loan or grant and

c. Be accompanied by payment equal to the sum of:

(1) all Borough liens outstanding on the property;

(2) all costs incurred by the Borough in bringing action with respect to the property;

(3) any costs incurred by the Borough not covered by grants or loans to be assumed or repaid pursuant to this section; and

(4) any costs remaining to complete rehabilitation and reuse of the property, as determined by the public officer, which payment shall be placed in escrow with the Clerk of the Court pending disposition of the petition.

#### Section 233-26. Obligations of Owner prior to Grant of Petition.

- A. Prior to the granting of a petition on the part of the owner by the court pursuant to Section 15 of P.L. 2003, c. 210 (N.J.S.A. 55:19-92), the owner may be required to post a bond or other security in an amount determined by the court, after consultant with the public officer, as likely to ensure that the owner will continue to maintain the property in sound condition. That bond or other security shall be made available to the Borough to make any repair on the property in the event of a code violation which is not corrected in timely fashion by the owner. The bond or other security may be forfeit in full in the event that the owner fails to comply with any requirement imposed as a condition of the reinstatement petition filed pursuant to Section 15 of P.L. 2003, c. 210 (N.J.S.A. 55:19-92).
- B. The owner may seek approval of the court to be relieved of this requirement after five years, which shall be granted if the court finds that the owner has maintained the property in good repair during that period, that no material violations affecting the health and safety of the tenants have occurred during that period, and that the owner has remedied other violations in a timely and expeditious fashion.

#### Section 233-27. Failure of Owner to Petition for Reinstatement of Control and Possession of Property; Granting of Title to the City; Authority to Sell.

If the owner fails to petition for the reinstatement of control and possession of the property within 30 days after the entity in possession has filed a notice of completion or in any event within two years after the initial grant of possession, or if the owner fails to meet any conditions that may be set by the court in granting a reinstatement petition filed pursuant to Section 15 of P.L. 2003, c. 219 (N.J.S.A. 55:19-92), upon petition from the entity in possession, the court may grant the Borough title or authorize the Borough to sell the property, subject to the provisions of Section 19 of P.L. 2003, c. 210 (N.J.S.A. 55:19-96)

Section 233-28. Procedure of Borough seeking to gain title to Property; Authorization to Sell; Proceeds.

- A. Whether the Borough seeks to gain title to the property, it shall purchase the property for fair market value on such terms as the court shall approve and may place the proceeds of sale in escrow with the court.
  - (1) The court may authorize the Borough to sell the building free and clear of liens, claims and encumbrances, in which event all such liens, claims and encumbrances shall be transferred to the proceeds of sale with the same priority as existed prior to resale in accordance with the provisions of this section, except that municipal liens shall be paid at settlement.
  - (2) The proceeds of the purchase of the property shall be distributed as set forth in Section 20 of P.L. 2003, c. 210 (N.J.S.A. 55:19-97).
- B. The Borough may seek approval of the court to sell the property to a third party when the court finds that such conveyance will further the effective and timely rehabilitation and reuse of the property.
- C. Upon approval by the court, the Borough shall sell the property on such terms and at such price as the court shall approve, and may place the proceeds of sale in escrow with the court. The court shall order a distribution of the proceeds of sale after paying court costs in the order of priority set forth in Section 20 of P.L. 2003, c. 210 (N.J.S.A. 55:19-97).

Section 233-29. Distribution of Proceeds.

The proceeds paid pursuant to subsection c of Section 19 of P.L. 2003, c. 210 (N.J.S.A. 55:19-96) shall be distributed in the following order of priority:

- A. the costs and expenses of sale;
- B. other governmental liens.
- C. repayment of principal and interest on any borrowing or indebtedness incurred by the Borough and granted priority lien status pursuant to subsection a of Section 21 of P.L. 2003, c. 210 (N.J.S.A. 55:19-98).
- D. a reasonable development fee to the Borough consistent with the standards for development fees established for rehabilitation programs by the New Jersey Department of Community Affairs or the New Jersey Housing and Mortgage Finance Agency.
- E. other valid liens and security interests, in accordance with their priority; and
- F. the owner.

Section 233-30. Public Officer; Authority to Place Lien on Property; Remedies.

- A. The public officer, with the approval of the court, may place a lien on the property to cover any costs of the Borough in connection with a proceeding under P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) incurred prior to the grant by the court of any order of possession under P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.), which may include costs incurred to stabilize or secure the property to ensure that it can be rehabilitated in a cost effective manner. Any such lien shall be

considered a Borough lien for the purpose of N.J.S.A. 54:5-9 with the rights and status of a Borough lien pursuant thereto.

- B. With the exception of the holding of special tax sales pursuant to Section 24 of P.L. 2003, c. 210 (N.J.S.A. 55:19-101), the remedies available under P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et a.) shall be available to the Borough with respect to any abandoned property, whether or not the Borough has established an abandoned property list as provided in Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55) and whether or not the property has been included on any such list.

#### Section 233-31. Court's denial of Rights and Remedies to Lienholders and Mortgage Holders.

Notwithstanding any provision to the contrary in P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.), a court may in its discretion deny a lienholder or mortgage holder any or all rights or remedies afforded lienholders and mortgage holders under P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) if the court finds that the owner of a property subject to any of the provisions of P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et al.) owns or controls more than a fifty percent interest in, or effective control of, the lienholder or mortgage holder or that the familial or business relationship between the lienholder or mortgage holder and the owner precludes a separate interest on the part of the lienholder or mortgage holder.

#### Section 233-32. Recourse of City Against Individuals or Corporations.

With respect to any lien placed against any real property pursuant to the provisions of Section 1 or Section 3 of P.L. 1942, c. 112 (N.J.S.A. 40:48-2.3) or N.J.S.A. 40:28-2.5) or Section 1 of P.L. 1989, c. 91 (N.J.S.A. 40:48-2.3) or any receiver's lien pursuant to P.L. 2003, c. 295 (N.J.S.A. 2A:42-114 et al.), the Borough shall have recourse with respect to the lien against any asset of the owner of the property, if an individual, against any asset of any partner, if a partnership; and against any asset of any owner of a ten percent interest or greater, if the owner is any other business organization or entity recognized pursuant to law.

#### Section 233-33. Properties Eligible for Tax Sales; Borough Requirements of Municipalities; Notice.

The Borough of Woodcliff Lake may hold special tax sales with respect to those properties eligible for tax sales pursuant to N.J.S.A. 54:5-19 which are also on an abandoned property list established by the Borough pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55). If the Borough elects to hold a special tax sale, it shall conduct that sale subject to the following provisions:

- A. The Borough shall establish criteria for eligibility to bid on properties at the sale, which may include, but shall not be limited to: documentation of the bidder's ability to rehabilitate or otherwise reuse the property consistent with Borough plans and regulations; commitments by the bidder to rehabilitate or otherwise reuse the property consistent with Borough plans and regulations; commitments by the bidder to take action to foreclose on the tax lien by a date certain; and

- such other criteria as the Borough may determine are necessary to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest;
- B. The Borough may establish minimum bid requirements for a special tax sale that may be less than the full amount of the taxes, interest and penalties due, the amount of such minimum bid to be at the sole discretion of the Borough in order to ensure that the properties to be sold will be rehabilitated or otherwise reused in a manner consistent with the public interest;
  - C. The Borough may combine properties into bid packages and require that bidders place a single bid on each package, and reject any and all bids on individual properties that have been included in bid packages;
  - D. The Borough may sell properties subject to provisions that if the purchaser fails to carry out any commitment that has been set forth as a condition of sale pursuant to Subsection A of this section or misrepresents any material qualification that has been established as a condition of eligibility to bid pursuant thereto, then the properties and any interest thereto acquired by the purchaser shall revert to the Borough and any amount paid by the purchase to the Borough at the special tax sale shall be forfeit to the Borough;
  - E. In the event there are two or more qualified bidders for any property or bid package in a special tax sale, the Borough may designate the unsuccessful but qualified bidder whose bid was closest to the successful bid as an eligible purchaser;
  - F. In the event that the purchaser of that property or bid package fails to meet any of the conditions of sale established by the Borough pursuant to this section, and their interest in the property or properties reverts to the Borough, the borough may subsequently designate the entity previously designated as an eligible purchaser as the winning bidder for the property or properties, and assign the tax sale certificates to that entity on the basis of that entity's bid at the special tax sale, subject to the terms and conditions of the special tax sale.
  - G. The Borough shall provide notice of a special tax sale pursuant to N.J.S.A. 54:5-26. The notice shall include any special terms of sale established by the Borough pursuant to Subsection B, C or D of this section. Nothing shall prohibit the Borough from holding a special tax sale on the same day as a standard or accelerated tax sale.

Section 233-34. Eminent Domain Proceedings; Establishment of Fair Market Value.

With respect to any eminent domain proceeding carried out under Section 37 of P.L.1996, c. 62 (N.J.S.A. 55:19-56), the fair market value of the property shall be established on the basis of an analysis which determines independently:

- A. the cost to rehabilitate and reuse the property for such purpose as is appropriate under existing planning and zoning regulations governing its reuse or to demolish the existing property and construct new building on the site, including

- all costs ancillary to rehabilitation such as, but not limited to marketing and legal costs;
- B. the realistic market value of the reused property after rehabilitation or new construction, taking into account the market conditions particular to the neighborhood or subarea of the Borough in which the property is located; and
  - C. the extent to which the cost exceeds or does not exceed the market value after rehabilitation or demolition and new construction, and the extent to which any "as is" value of the property prior to rehabilitation can be added to the cost of rehabilitation or demolition and new construction without the resulting combined cost exceeding the market value as separately determined. If the appraisal finds that the cost of rehabilitation or demolition and new construction, as appropriate, exceeds the realistic market value after rehabilitation or demolition and new construction, there shall be a rebuttable presumption in all proceedings under this subsection that the fair market value of the abandoned property is zero, and that no compensation is due the owner.

**Section 233-35. Removal of Property from Abandoned Property List.**

If a property, which an entity other than the Borough has purchased or taken assignment from the Borough of a tax sale certificate, is placed on the abandoned property list, the property shall be removed from the list if the owner of the certificate pays all Borough taxes and liens due on the property within 30 days after the property is placed on the list; provided, however, that if the owner of the certificate fails to initiate foreclosure proceedings within six months after the property was first placed on the list, the property shall be restored to the abandoned property list.

**Section 233-36. Request for Property to be Placed on Abandoned Property List.**

- A. Any interested party may submit in writing a request to the public officer that a property be included on the abandoned property list prepared pursuant to Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55), specifying the street address and block and lot number of the property to be included and the grounds for its inclusion. Within 30 days of receipt of any such request, the public officer shall provide written response to the party, either indicating that the property will be added to the list of abandoned properties or, if not, the reasons for not adding the property to the list. For the purposes of this section, "interested party" shall include any resident of the Borough, any owner or operator of a business within the Borough, or any organization representing the interests of residents or engaged in furthering the revitalization and improvements of the neighborhood in which the property is located.
- B. Any interested party may participate in any redetermination hearing held by the public officer pursuant to subsection e. of Section 36 of P.L. 1996, c. 62 (N.J.S.A. 55:19-55). Upon written request by any interested party, the public officer shall provide the party with at least 20 days' notice of any such hearing. The party shall provide the public officer with notice at least 10 days before the hearing of

its intention to participate and the nature of the testimony or other information that is proposes to submit at the hearing.

#### Section 233-37. Maintenance of properties in foreclosure.

Responsible Agent – The creditor filing the summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the vacant and abandoned residential property and if located out of state, shall be responsible for appointing an in-state representative or agent to act for the foreclosing creditor.

Authorized Public Officer – A public officer appointed pursuant to P.L. 1942, c. 112 (C.40:48-2.3 et seq.) or any other local official responsible for administration of any property maintenance of public nuisance code to issue a notice to the creditor filing the summons and complaint in an action to foreclose if the public officer or other authorized municipal official determines that the creditor has violated the ordinance by failing to provide for the care, maintenance, security and upkeep of the exterior of the property. Such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of a notice shall constitute proof that a property is “vacant and abandoned” for the purposes of P.L. 2012, c.70 (C.2A:50-73).

Out of State Creditor – An out of state creditor shall be required to include the full name and contact information of the in state representative or agent in the notice required to be provided.

Creditor Notice Requirement –(1) A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property in the state shall, within 10 days of serving the summons and complaint, notify the Municipal Clerk of the Borough of Woodcliff Lake that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property the notice shall contain the name and contact information for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations may contain information about more than one property, and shall be provided by mail or electronic communications, at the discretion of the municipal clerk. In the event the creditor that has served a summons and complaint in an action to foreclose on a residential property is located out of state, the notice shall also contain the full name and contact information of an in state representative or agent who shall be responsible for the care, maintenance, security and upkeep of the exterior of the property if it becomes vacant and abandoned. The municipal clerk shall forward a copy of the notice to the public officer or shall otherwise provide it to any other local official responsible for administration of any property maintenance or public nuisance code. In the event the property being foreclosed on is an affordable unit pursuant to the “Fair Housing Act” then the creditor shall identify that the property is subject to the “Fair Housing Act.” The notice shall also include the street address, lot and block number of the property and the full name and contact information of an individual located within the State who is authorized to accept service on behalf of the creditor.

The notice shall be provided to the municipal clerk within ten (10) days of service of a summons and complaint in an action to foreclose on a mortgage against the subject property.

(2) Any creditor that has initiated a foreclosure proceeding on any residential property which is pending in Superior Court shall provide to the Municipal Clerk of the Borough of Woodcliff Lake, a listing of all residential properties in the municipality for which the creditor has foreclosure actions pending by street address and lot and block number. The Municipal Clerk shall forward a copy of the notice to the public officer, or shall otherwise provide it to any other local official responsible for administration of any property maintenance or public nuisance code.

Notification by Authorized Municipal Official – If the owner of a residential property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a residential property becomes vacant at any point subsequent to the creditor's filing the summons and complaint in an action to foreclose on a mortgage against the subject property, but prior to vesting of title in the creditor or any other third party, and the exterior of the property is found to be a nuisance or in violation of any applicable State or local code, the local public officer, municipal clerk or other authorized municipal official shall notify the creditor or the representative or agent of an out-of-State creditor as applicable, which shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by State law or municipal ordinance. The municipality shall include a description of the conditions that gave rise to the violation with the notice of violation and shall provide a period of not less than 30 days from the creditor's receipt of the notice for the creditor to remedy the violation. If the creditor fails to remedy the violation within that time period, the municipality may impose penalties allowed for the violation of municipal ordinance pursuant to R.S.40:49-5.

Violation – If the municipality expends public funds in order to abate a nuisance or correct a violation on a residential property in situations in which the creditor was given notice pursuant to the provisions of Notification by Authorized Municipal Official, but failed to abate the nuisance or correct the violation as directed, the municipality shall have the same recourse against the creditor as it would have against the title owner of the property, including but not limited to the recourse provided under section 23 of P.L. 2003, c. 210 (C.55:19-100).

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. 20-08

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

**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, 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

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		X			
Gadaleta						X
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			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. 20-241 DECEMBER 7, 2020

**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 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.

\_\_\_\_ 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 December 7, 2020 that an Executive Session closed to the public shall be held on December 7, 2020 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 December 7, 2020.



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**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING PAYMENT OF PAYROLL & PAYMENT OF CLAIMS

RESOLUTION NO. 20-242

DECEMBER 7, 2020

**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 11/30/2020      \$219,262.25

**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:	\$226,529.40
Trust/Other:	\$ 295.95
Open Space Trust:	\$ 707.50
Affordable Housing Trust:	\$ 2,097.50
Capital:	\$ 9,778.62
Escrow:	\$ 4,721.49

**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.

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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 December 7, 2020.



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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 Clerk

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION CANCELLING OF TAX OVERPAYMENTS OR DELINQUENT AMOUNTS LESS THAN \$10.00

RESOLUTION NO. 20-243  
DECEMBER 7, 2020

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax overpayments or delinquent amounts in the amount of less than \$10.00; and


**WHEREAS**, the Mayor and Council may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax or delinquencies of less than \$10.00.

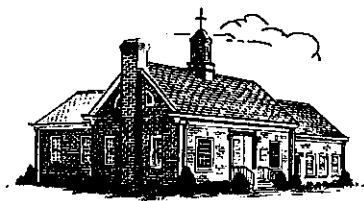
**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Woodcliff Lake, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said property tax amounts as deemed necessary.

**BE IT FURTHER RESOLVED**, that a certified copy of the Resolution be forwarded to the Tax Collector and Chief Finance 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 December 7, 2020.

  
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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION CANCELLING 2020 BUDGET BALANCE – RESERVE FOR TAX APPEALS

RESOLUTION NO. 20-244  
DECEMBER 7, 2020

**WHEREAS**, the 2020 Current Fund Budget Appropriation – Reserve for Tax Appeals in the amount of \$400,000 was appropriated to be utilized for pending tax appeals; and

**WHEREAS**, the COVID 19 Pandemic has created deficits in various revenue accounts such as hotel tax, construction code fees and municipal court fines; and

**WHEREAS**, the Chief Financial Officer and Borough Auditor has recommended that to offset the deficit in revenues, that \$250,000 be cancelled from the 2020 Budget Appropriation – Reserve for Tax Appeals and be credited to Fund Balance and the remaining \$150,000 be transferred to account “Reserve for Tax Appeals Pending” to fund ongoing tax appeals.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Woodcliff Lake, that the Chief Financial Officer is authorized to complete this transaction and that this Resolution be transmitted to the Chief Financial Officer and Borough Auditor for their records.

**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 December 7, 2020.

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

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## RESOLUTION APPROVING FIRE DEPARTMENT OFFICER AND MEMBERSHIP STIPEND PROGRAM IN THE BOROUGH OF WOODCLIFF LAKE

**RESOLUTION NO. 20-245**  
**DECEMBER 7, 2020**

**WHEREAS**, members of the Borough of Woodcliff Lake Fire Department are eligible to receive a membership stipend and Officer stipend; and

**WHEREAS**, it is necessary that written criteria be established for both the membership stipend and Officer stipend; and

**WHEREAS**, the Fire Chief has submitted an Officer and Membership Stipend Program outlining the criteria in order to be eligible for stipends, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the Fire Committee has reviewed the Officer and Membership Stipend Program submitted by the Fire Chief and recommends the approval of same upon the completion of Bloodborne Pathogen by all Woodcliff Lake Volunteer Fire Fighters and Certificates are sent to the Borough Clerk.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Woodcliff Lake that the Officer and Membership Stipend Program for the Woodcliff Lake Fire 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 Clerk be and she is hereby authorized and directed to forward a copy of this resolution to the Fire Chief of the Woodcliff Lake Fire Department 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 December 7, 2020.

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

---

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

# **2020 Officers Stipend Breakout**

Officers	Budgeted Amount	\$21,500
Chief of Department	John Whelan	\$6,000
Deputy Chief	Rob Kuehlke	\$5,000
Captain	George Lucia, Jr	\$1,500
Captain	Dom Barratta	\$1,500
Lieutenant	Jim Kuehlke	\$1,500
Lieutenant	Matt Buesser	\$3,000
Training Officer	Rob Kuehlke	\$500
Preplan Committee	John Whelan	\$200
Preplan Committee	Tim Ennis	\$900
Preplan Committee	George Fusco	\$900
	Total	\$21,000
Mechanic(s)	Budgeted Amount	\$1,000
	Herb Kuehlke	\$700
	Kevin McGovern	\$200
	Rob Kuehlke	\$100

## **Total Disbursement**

John Whelan	\$6,200
Rob Kuehlke	\$5,600
George Lucia, Jr	\$1,500
Dom Barratta	\$1,500
Jim Kuehlke	\$1,500
Matt Buesser	\$3,000
Tim Ennis	\$900
George Fusco	\$900
Herb Kuehlke	\$700
Kevin McGovern	\$200

## **WLFD Officer, Mechanic & Preplan Stipend Program**

### **Fire Officers**

- Each Fire Officer is eligible to receive a base stipend based on rank.  
Bonus's available at Chief's discretion based on work done throughout the year.
    - Chief of Department - \$5,500
    - Deputy Chief - \$4,500
    - Captain - \$1,500
    - Captain - \$1,500
    - Lieutenant - \$1,000
    - Lieutenant - \$1,000
    - Lieutenant - \$1,000
- \*If officer spot is vacant, the stipend can be distributed amongst the other officers at Chiefs discretion.

### **Training Officer**

- The Chief of Department shall designate a training officer for each year. The training officer will be responsible for overseeing the training program including drills. This may or may not be a fire officer. This position shall receive a stipend of \$500.

### **Mechanic(s)**

- The Chief of Department shall designate a mechanic or mechanics for each year. The mechanic(s) will be responsible for overall maintenance and check outs of the apparatus. This may or may not be a fire officer. This position shall receive a stipend to be dispersed to at the Chief's discretion not to exceed a total of \$1,000.

### **Preplan Committee**

- The preplan committee consists of (3) members, one of which is the Chief and (2) others as designated by the Chief of Department. The Chief shall receive a stipend of \$200 and the other (2) committee members receive a stipend of \$900 each.



# 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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE - DURAKU

**RESOLUTION NO. 20-246  
DECEMBER 7, 2020**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**Ramis Duraku  
290 Glen Road  
Woodcliff Lake, NJ 07677  
Escrow Refund: \$1,575.00**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$1,575.00 in connection with the aforementioned.

### 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 December 7, 2020.

**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING RELEASE OF ESCROW BALANCE - MARINI

**RESOLUTION NO. 20-247  
DECEMBER 7, 2020**

**WHEREAS**, a request has been made for the release of the escrow balances with respect to the following in Woodcliff Lake:

**Robert Marini  
10 Somerset Drive  
Woodcliff Lake, NJ 07677  
Escrow Refund: \$54.98**

**WHEREAS**, the Borough Construction Code Official and Borough Engineer have confirmed that all is satisfactory and has recommended that the escrow balances be released.

**NOW, THEREFORE, BE IT RESOLVED**, that in accordance with the recommendation of the above, the Mayor and Council does hereby authorize the release of escrow balances in the amount of \$54.98 in connection with the aforementioned.

### 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 December 7, 2020.

**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION AUTHORIZING A ONE-TIME STIPEND FOR TRACEY ZYSMAN FOR RECEIVING HER TECHNICAL ASSISTANT CERTIFICATION

RESOLUTION NO. 20-248

DECEMBER 7, 2020

**WHEREAS**, pursuant to Borough policy, employees that obtain job-related certification that are mandated by the State, or required by the Borough shall receive a one-time award as enumerated in the Employee Handbook; and

**WHEREAS**, obtaining Technical Assistant Certification calls for an award of \$500.00; and

**WHEREAS**, Tracey Zysman successfully completed the course work necessary and has received her Technical Assistant Certification.

**NOW THEREFORE, BE IT RESOLVED**, that Tracey Zysman shall receive a one-time stipend of \$500.00 for receiving her Technical Assistant Certification.

### 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 December 7, 2020.

DEBORAH DAKIN, RMC, CMR  
BOROUGH CLERK

**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.

---

Harold Laufeld  
Chief Financial Officer



# 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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## RESOLUTION APPROVING NON-REFUNDABLE SICK DAYS TO DEPARTMENT OF PUBLIC WORKS

### RESOLUTION NO. 20-249 DECEMBER 7, 2020

**WHEREAS**, due to the COVID-19 pandemic, several members of the Department of Public Works were requested to perform additional work over the past several months; and

**WHEREAS**, the Borough seeks to offer said members ten (10) non-reimbursable/non-refundable sick days to be put in their sick day bank on January 1, 2021; and

**WHEREAS**, the ten (10) non-reimbursable/non-refundable sick days are not eligible for reimbursement and must be used prior to the employee's separation with the Borough otherwise same are to be forfeited; and

**WHEREAS**, the Borough Administrator, Mayor and Personnel Committee have reviewed this matter and recommend that the ten (10) non-reimbursable/non-refundable sick days be awarded to the following employees of the Department of Public Works:

Chris Behrens  
Dave Linko  
Thomas Torpey  
Evan Barboni  
Tom Ivancich  
Andrew King  
Brian DeHaas  
Christian Renner  
Kevin Zink

Bobby Woods; and  
Scott Williams

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the above referenced employees of the Department of Public Works be and are hereby awarded ten (10) non-reimbursable/non-refundable sick days to be placed in their sick day bank on January 1, 2021; and

**BE IT FURTHER RESOLVED**, that the ten (10) non-reimbursable/non-refundable sick days are not eligible for reimbursement and are to be utilized prior to the employee's separation with the Borough or same shall be forfeited; and

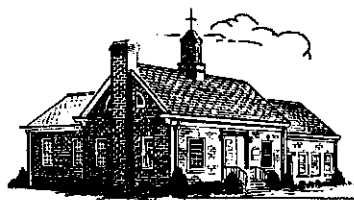
**BE IT FURTHER RESOLVED**, that the Borough Clerk be and she is hereby authorized and directed to forward a certified copy of this resolution the Supervisor of the Department of Public Works upon its passage.

**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 December 7, 2020.



**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY FOR TV INSPECTION SERVICES

### RESOLUTION NO. 20-250 DECEMBER 7, 2020

**WHEREAS**, the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority wish to enter into a Shared Services Agreement for the TV Inspection Services of the sanitary sewer system, or other systems; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et. seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

**WHEREAS**, the term of the Shared Services Agreement will be for the calendar years 2021 and 2022; and

**WHEREAS**, the Borough will pay to NBCUA a per foot price of eighty-five cents (\$0.85) in calendar year 2021 and a per foot price of eighty-six cents (\$0.86) in calendar year 2022 with a minimum payment of five hundred (\$500.00) dollars for each day of inspection in the years 2021 and 2022; and

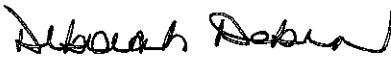
**WHEREAS**, the Borough Administrator and Borough Attorney have reviewed the Shared Services Agreement between the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority for TV Inspection Services of the sanitary sewer system, or other systems, a copy of which is attached hereto and incorporated herein by reference, and recommend the approval of same.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the Shared Services Agreement, a copy of which is attached hereto and incorporated herein by reference, between the Borough of Woodcliff Lake and the Northwest Bergen County Utilities Authority for TV Inspection Services of the sanitary sewer system, or other systems, for the calendar years 2021 and 2022 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 certified copy of this resolution upon its passage together with the Shared Services Agreement to the Northwest Bergen County Utilities Authority.

**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 December 7, 2020.



---

**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

**RESOLUTION AUTHORIZING THE BOROUGH OF WOODCLIFF LAKE, NEW JERSEY  
THROUGH THE WOODCLIFF LAKE POLICE DEPARTMENT, TO PARTICIPATE IN THE  
DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO  
ENABLE THE WOODCLIFF LAKE POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS  
DEPARTMENT OF DEFENSE EQUIPMENT**

**RESOLUTION NO. 20-251  
DECEMBER 7, 2020**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county, and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to the municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by the majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program: and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake that the Woodcliff Lake Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2021 to December 31, 2021; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Woodcliff Lake Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lights supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available, based on the needs of the Woodcliff Lake Police Department, without restriction; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the Woodcliff Lake Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available: on the attached approved controlled item list; and

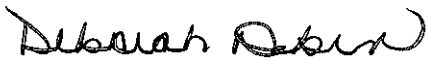
**BE IT FURTHER RESOLVED**, that the Woodcliff Lake Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED**, that the Woodcliff Lake Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; and requests to acquire "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with Program participation and all property request authorization terminating on December 31 of the current calendar year from January 1, 2021 to December 31, 2021.

**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 December 7, 2020.

A handwritten signature in cursive script, reading "Deborah Dakin", positioned above a horizontal line.

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

ITEM NAME	ITEM NAME	ITEM NAME
ARMORED SECURITY VEHICLE	ARMORED SECURITY VEHICLE	TRUCK, WRECKER
AUTOMOBILE, SEDAN	MISCELLANEOUS WEAPONS - LOGS&LSN	TRUCKS AND TRUCK TRACTORS, DEMILC
AUTOMOBILE, WAGON	MODIFICATION SKIT, GUN, WEAPON	UP ARMORED NTVS
BATON, KINETIC ENERGY	MUNITION, CROWD CONTROL MODULAR, NON-LETHAL	UTILITY VEHICLE, OFF ROAD
BODY SHIELD	NON-BALLISTIC BODY SHIELD	
BREACH SYSTEM	NON-LETHAL WEAPONS CAPABILITIES SET	
BREACHING RAM	PROTECTIVE SHIELD, T	
BREACHING SYSTEM	RAM, PATTERNING	
CAPABILITIES SET NON-LETHAL	RAM, DOOR, MINI	
CAR, ARMORED	RIOT CONTROL SHIELD	
CAR, ARMORED, MINE DISPOSAL	SECURITY VEHICLE	
CARRIER, AMBULANCE	SHIELD, PERSONAL PROTECTIVE	
CARRIER, CARGO	SHIELD, SELF-PROTECTION	
CARRIER, COMMAND POST	SHOP EQUIPMENT, CONTACT MAINTENANCE	
CARTRIDGE, 12 GAUGE SHOTGUN	SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED	
CARTRIDGE, 12 GAUGE SHOTGUN	ONLY COMPLETE COMBAT/ASSAULT/TACTICAL WHEELED VEHICLES	
CARTRIDGE, 40 MILLIMETER	SIGHT, THERMAL	
CHARGE, DIVERSIONARY	SLEDGE HAMMER	
CLUB, SELF-PROTECTION	TOOL, BREAKER, HINGE	
COMMUN. EQUIP. SOMS-B	TRAINING KIT, DEMOLITION	
CUTTER HEAD, HYDRAULIC BREACHING AND EXTRICATION TOOL	TRUCK TRACTOR	
DOOR OPENER, HYDRAULIC BREACHING AND EXTRICATION TOOL	TRUCK, AMBULANCE	
DRONES	TRUCK, ARMORED	
FACESHIELD, MILITARY RIOT CONTROL	TRUCK, BOLSTER	
FACESHIELD, RIOT CONTROL	TRUCK, BOMB SERVICE	
FORCED ENTRY AND RESCUE EQUIPMENT, AIRCRAFT CRASH	TRUCK, CARGO	
GOGGLES, PROTECTION, RIOT CONTROL	TRUCK, CARRYALL	
GROUND SENSOR SURVEILLANCE VEHICLE	TRUCK, COMMAND RECONNAISSANCE	
GUN, PORTABLE RIOT CONTROL	TRUCK, DUMP	
HATBOX, RIOT CONTROL	TRUCK, MAINTENANCE	
HELMET, POLICE	TRUCK, MATERIALS HANDLING-CONTAINER HOISTING	
HELMET, SAFETY	TRUCK, PALLETIZED LOADING	
KIT, MECHANICAL REEA	TRUCK, PANEL	
KIT, RIOT PROTECTION	TRUCK, STAKE	
LIGHT ARMORED VEHICLE	TRUCK, TANK	
MINE CLEARING VEHICLE	TRUCK, UTILITY	
MINE DETECTOR SYSTEM, VEHICLE MOUNTED	TRUCK, VAN	



# 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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## RESOLUTION AUTHORIZING THE APPOINTMENT OF SHADE TREE INSPECTOR/PROPERTY MAINTENANCE OFFICER IN THE BOROUGH OF WOODCLIFF LAKE

RESOLUTION NO. 20-252  
DECEMBER 7, 2020

**WHEREAS**, the Borough is in need of an individual to perform the duties of Shade Tree Inspector/Property Maintenance Officer; and

**WHEREAS**, Lyle Garcia possesses all the qualifications and experience necessary for the position; and

**WHEREAS**, the Borough Administrator and Personnel Committee have reviewed this matter and recommend that Lyle Garcia be appointed to the position of Shade Tree Inspector/Property Maintenance Officer effective December 14, 2020 to work no more than 25 hours per week at an hourly rate of \$25.00/per hour.

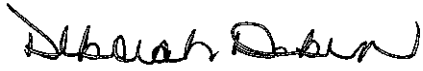
**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Woodcliff Lake that Lyle Garcia be and he is hereby appointed Shade Tree Inspector/Property Maintenance Officer for the Woodcliff Lake Building Department; and

**BE IT FURTHER RESOLVED**, that Lyle Garcia shall work no more than 25 hours per week with an hourly rate of \$25.00/per hour effective December 14, 2020; 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 Lyle Garcia 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 December 7, 2020.

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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION APPROVING PAYMENT OF FINAL INVOICE FOR EXPERT REPORT

### RESOLUTION NO. 20-253

DECEMBER 7, 2020

**WHEREAS**, on April 28, 2020, the Zoning Board of Adjustment adopted Resolution No. 20-07 approving the Zoning Board of Adjustment Attorney to retain the services of an expert with regard to the matter 188 Broadway, LP, Docket No. BER-L-06450-19; and

**WHEREAS**, as a result of same, the Zoning Board of Adjustment retained the services of Thomas J. Germinario, J.D., P.E. as an expert witness to be compensated at \$165.00 per hour; and

**WHEREAS**, Thomas J. Germinario, J.D., P.E. has submitted an invoice in the amount of \$7,788.00, a copy of which is attached hereto and incorporated herein by reference, for his expert services in the within matter; and

**WHEREAS**, Mr. Germinario's expert services have already been rendered and it is recommended that his invoice be paid.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the attached invoice submitted by Thomas J. Germinario in the amount of \$7,788.00 for his expert services and report submitted in the matter 188 Broadway, LP be and is hereby approved for payment; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized and directed to take any and all action necessary to effectuate and payment to Thomas J.

Germinario, Esq. in the amount of \$7,788.00 for his expert services rendered.

**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 December 7, 2020.

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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION APPROVING PROPOSAL FOR STORMWATER OUTFALL MAPPING AND PERMITTING SUPPORT SERVICES WITH NEGLIA ENGINEERING

**RESOLUTION NO. 20-254**  
**DECEMBER 7, 2020**

**WHEREAS**, the Borough of Woodcliff Lake currently holds a Municipal Separate Storm Sewer System ("MS4") permit with the State of New Jersey; and

**WHEREAS**, said permit requires that the Municipal Stormwater Management Program and Stormwater Pollution Prevention Program documents be updated and submitted to the State for review and acceptance; and

**WHEREAS**, Neglia Engineering has submitted a Proposal for Stormwater Outfall Mapping and Permitting Support Services with regard to same, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the proposal submitted by Neglia Engineering reflects a lump sum basis for a cost of \$17,900.00 representing Phase I-Professional Services for Stormwater Outfall Mapping; a lump sum basis for a cost of \$7,120.00 representing Phase II-Professional Services for MS4 Permitting Support Services; and a material basis cost not to exceed \$1,500.0 for Phase III-Reimbursable Expenses; and

**WHEREAS**, the Borough Administrator has reviewed the proposal submitted by Neglia Engineering for Stormwater Outfall Mapping and Permitting Support Services, a copy of which is attached hereto and incorporated herein by reference and recommends the approval of same.

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

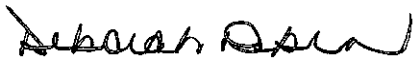
of Woodcliff Lake, County of Bergen and State of New Jersey, that the proposal submitted by Neglia Engineering for Stormwater Outfall Mapping and Permitting Support Services for the MS4 Permitting Compliance be and is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized and directed to execute the proposal submitted by Neglia Engineering, a copy of which is attached hereto and incorporated herein by reference; 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 proposal 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 December 7, 2020



**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## 2020 BUDGET TRANSFERS FOR DECEMBER 7, 2020 MEETING

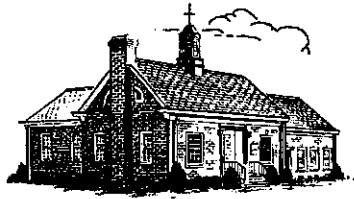
### RESOLUTION NO. 20-255 DECEMBER 7, 2020

<u>DEPARTMENT</u>	<u>ACCOUNT NUMBER</u>	<u>FROM</u>	<u>TO</u>
Legal – Other Expenses	0-01-20-155-020	10,000	
Zoning Board – Other Expenses	0-01-21-185-020		10,000
Parks and Recreation – Salaries and Wages	0-01-28-370-010	15,000	
Group Insurance for Employees	0-01-23-220-020	15,000	
Police – Salaries and Wages	0-01-25-240-010		30,000
TOTAL		40,000	40,000

### 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 December 7, 2020.

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

201-391-4977  
Fax 201-391-8830

Council Member	Motion	Second	Yea	Nay	Abstain	Absent
Falanga	X		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION ADOPTING THE BERGEN COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

**RESOLUTION NO. 20-256  
DECEMBER 7, 2020**

**WHEREAS**, the Borough of Woodcliff Lake, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property; and

**WHEREAS**, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk through the adoption of a Bergen County Multi-Jurisdictional Hazard Mitigation Plan ("Hazard Mitigation Plan"); and

**WHEREAS**, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Hazard Mitigation Plan; and

**WHEREAS**, a draft Hazard Mitigation Plan has been developed by the Mitigation Planning Committee; and

**WHEREAS**, the draft Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property; and

**WHEREAS**, the draft Hazard Mitigation Plan was provided to each participating jurisdiction and was posted on the Bergen County Office of Emergency Management's website

so as to introduce the planning concept and to solicit questions and comments; and to present the Hazard Mitigation Plan and request comments, as required by law; and

**WHEREAS**, the draft Hazard Mitigation Plan was submitted by the Bergen County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020; and

**WHEREAS**, the New Jersey Office of Emergency Management and the Federal Emergency Management Agency have approved the draft Hazard Mitigation Plan as submitted; and

**WHEREAS**, formal adoption and maintenance of the Hazard Mitigation Plan by the governing body is a condition of receipt of federal disaster aid; and

**WHEREAS**, the Bergen County Office of Emergency Management has recommended to the County Executive and Board of Chosen Freeholders that the Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020, be adopted as the official Hazard Mitigation Plan of the County of Bergen.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Woodcliff Lake, Bergen County, New Jersey that:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on August 7, 2020 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the County of Bergen; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. A hard copy of the Hazard Mitigation Plan shall be kept on file at the Bergen County Office of Emergency Management, and a digital copy shall be posted on the web site of the Bergen County Office of Emergency Management.
3. Any action proposed by the Hazard Mitigation Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Woodcliff Lake, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Borough of Woodcliff Lake's Emergency Management Coordinator shall coordinate with their local offices and officials; and periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be

submitted to the Bergen County Office of Emergency Management. The Bergen County Office of Emergency Management shall prepare an annual progress report on the goals and mitigation actions set forth in the Hazard Mitigation Plan. Copies of those reports will be kept on file at the office of the Board of Chosen Freeholders and the Bergen County Office of Emergency Management. Municipal status reports may be submitted at any time to the County Coordinator to amend mitigation actions identified in the Hazard Mitigation Plan. At a minimum, municipal status reports shall be submitted to the County Coordinator on an annual basis. The County Coordinator will identify one meeting per year that will address hazard mitigation updates, as required by the State of New Jersey's Hazard Mitigation Plan and its Standard Operating Procedure.

#### **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 December 7, 2020.



---

**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		X			
Gadaleta		X	X			
Gross			X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

201-391-4977  
Fax 201-391-8830

## RESOLUTION APPROVING PROPOSAL FOR PROFESSIONAL TOPOGRAPHIC SURVEYING, ENGINEERING DESIGN, PERMITTING, BIDDING AND CONSTRUCTION MANAGEMENT SERVICES WITH NEGLIA ENGINEERING

RESOLUTION NO. 20-257  
DECEMBER 7, 2020

**WHEREAS**, the Borough of Woodcliff Lake is in need of construction management services with regard to the replacement and various deficiencies of the Glen Road Bridge over Bear Brook; and

**WHEREAS**, Neglia Engineering has submitted a Proposal for Professional Topographic Surveying, Engineering Design, Permitting, Bidding and Construction Management Services with regard to same, a copy of which is attached hereto and incorporated herein by reference; and

**WHEREAS**, the proposal submitted by Neglia Engineering reflects a lump sum basis cost of \$142,980.00 representing Phase 1-Topographic Surveying, Engineering Design, Regulatory Permitting and Bidding Services; a lump sum basis cost of \$123,400.00 representing Phase II-Construction Management Services; and a material basis cost not to exceed \$3,000.00 for Phase III-Reimbursable Expenses; and

**WHEREAS**, the Borough Administrator has reviewed the proposal submitted by Neglia Engineering for Professional Topographic Surveying, Engineering Design, Permitting, Bidding and Construction Management Services, a copy of which is attached hereto and incorporated herein by reference, and recommends the approval of same.

**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 the proposal submitted by


Neglia Engineering for Professional Topographic Surveying, Engineering Design, Permitting, Bidding and Construction Management Services be and is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized and directed to execute the proposal submitted by Neglia Engineering, a copy of which is attached hereto and incorporated herein by reference; 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 proposal 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 December 7, 2020



---

**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			
Gross	X		X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION OF THE BOROUGH OF WOODCLIFF LAKE CONDEMNING RACISM AND COMMITTING TO BEING AN ANTI-RACIST AND INCLUSIVE BOROUGH

### RESOLUTION NO. 20-258 DECEMBER 7, 2020

**WHEREAS**, members of the Borough of Woodcliff Lake Mayor and Council are saddened and outraged by recent events that demonstrate the prejudice and injustice that persists in our country; and

**WHEREAS**, our country's greatness and strength is built upon the diversity that exists throughout all of our communities; and

**WHEREAS**, racism and hate have no place in our Borough or our society, and we must protect the Constitutional rights of every person who lives, works and learns in our community; and

**WHEREAS**, we cannot be silent. We urgently must act to stop the racial, religious and gender injustice that harms and anguishes people of different race, ethnicity, color, religious beliefs, gender or sexual orientation, who are our family, friends, neighbors, students, staff members, and fellow community members; and

**WHEREAS**, systemic racism, racial oppression, religious intolerance and gender discrimination and all forms of bigotry and/or oppression based on a person's or group of persons' gender, sexual orientation, able-bodiedness, or age have long led to physical, political, legal, economic, and environmental harm in the United States; and

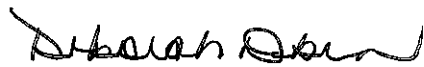
**WHEREAS**, we must lead. Each of us, individually and collectively, is responsible for

creating and nurturing an anti-racist and non-prejudiced environment where everyone is respected and valued for who they are, regardless of their race, ethnicity, color, religious beliefs, gender or sexual orientation. We must actively acknowledge, address and prevent racial bias.

**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 the Borough condemns racism, racial violence, white supremacy, hate speech, religious intolerance, gender discrimination and bigotry in all forms inside and outside of our schools and community, and stands steadfast in our commitment to continue working with regional representatives to foster an inclusive environment where every individual is treated with dignity and respect, as well as our commitment to continue fighting for racial justice and human and civil rights for all.

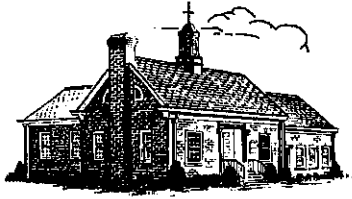
#### **CERTIFICATION**

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 December 7, 2020



---

**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			
Gross		X	X			
Hayes			X			
Marson			X			
Singleton			X			
Mayor Rendo						

## RESOLUTION APPROVING APPEARANCE OF ALL MEMBERS OF THE GOVERNING BODY AND PROFESSIONALS APPEAR VIA AUDIO AND VIDEO

### RESOLUTION NO. 20-259

DECEMBER 7, 2020

**WHEREAS**, due to the COVID-19 current pandemic, it has been necessary for the Governing Body to conduct its meetings remotely; and

**WHEREAS**, part of the process and purpose of a council meeting is to provide residents the opportunity to participate and present questions to the Governing Body and Professionals at regularly scheduled meetings; and

**WHEREAS**, the Governing Body seeks to replicate an in-person meeting to the extent possible thereby implementing a policy whereby all members of the Governing Body, Professionals retained by the Borough and employees participating in meetings do so via audio and video; and

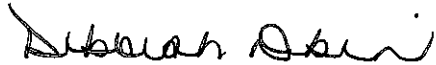
**WHEREAS**, after a discussion and review of same, the Governing Body is in agreement to implement the policy attached hereto and incorporated herein by reference, requiring all Members of the Governing Body, Professionals and employees participating in Council meetings to appear via audio and video.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Woodcliff Lake, that the policy attached hereto and incorporated herein by reference requiring the Members of the Governing Body, Professionals retained by the Borough and employees participating in Council meetings to appear via audio and video be and is hereby approved; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized and directed to take any and all action necessary to effectuate and implement the audio and video policy referenced herein.

**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 December 7, 2020.

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

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