

An Executive Meeting of the Mayor and Council of the Borough of Wood-Ridge was called to order by Mayor Paul Sarlo at 7:10 PM on October 5, 2010 in the Council Chambers of the Municipal Building, 85 Humboldt Street Wood-Ridge, New Jersey.

ROLLCALL:

Mayor:	Paul A. Sarlo
Council:	Ezio Altamura
	Thomas Gonnella (absent)
	Catherine Cassidy
	Richard Carbonaro
	Dominick Azzolini
Borough Attorney:	Paul S. Barbire (arrv 7:20 PM)
Borough Engineer:	Brian Intindola
Borough Clerk:	Diane Thornley
Borough Admin:	Chris Eilert
Borough Auditor:	Gary Vinci

SUNSHINE NOTICE:

This meeting is being held in accordance with P.L. 1975, Chapter 231, and the notice requirements of the law have been met by appropriate notice being forwarded to The Record, The Herald News and Wood-Ridge Independent setting forth the date, time and place of said meeting and by posting a copy of same on the Municipal Bulletin Board.

The following Resolutions were adopted:

EXECUTIVE MEETING, OCTOBER 5, 2010

RESOLUTION NO.: 185-2010

WHEREAS, the Mayor and Council of the Borough of Wood-Ridge have been advised of the proposed settlement of a Tax Appeal filed on behalf of Camizzo Group, LLC under Docket No.:009780-2008 and 01642-2009 for the years 2008, and 2009, and

WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeals by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

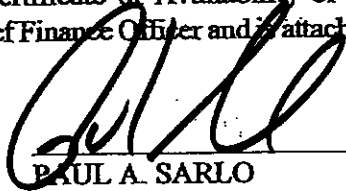
WHEREAS, the proposed Tax Appeals settlement components are as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Wood-Ridge to settle the subject Tax Appeals in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wood-Ridge that settlement of the said Tax Appeals be finalized in accordance with Schedule "A" attached and with respect to same, the Mayor, Borough Clerk and/or any other appropriate official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A. 40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.


DIANE THORNLEY
Borough Clerk


PAUL A. SARLO
Mayor

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

McCARTER & ENGLISH, LLP
 Four Gateway Center
 100 Mulberry Street
 Newark, New Jersey 07102
 (973) 622-4444
 Attorneys for Plaintiff

CANNIZZO GROUP, LLC;

Plaintiff,

v.

BOROUGH OF WOOD RIDGE,

Defendant.

TAX COURT OF NEW JERSEY
 DOCKET NO.: 009780-2008

Civil Action

Stipulation of Settlement
(Without Affidavit)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 282	Lot: 10	Year: 2008
Street Address:	150 Park Place East	
	Original Assessment	County Board Judgment Requested Tax Court Judgment
LAND	\$ 143,000	\$ 143,000 \$ 143,000
IMPVTS	\$ 347,300	\$ 347,300 \$ 347,300
TOTAL	\$ 490,300	\$ 490,300 \$ 490,300

Block: 282	Lot: 11	Year: 2008
Street Address:	154 Park Place East	
	Original Assessment	County Board Judgment Requested Tax Court Judgment
LAND	\$ 96,000	\$ 96,000 \$ 96,000
IMPVTS	\$ 5,400	\$ 5,400 \$ 5,400
TOTAL	\$ 101,400	\$ 101,400 \$ 101,400

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds as a result of the settlement set forth herein shall be payable to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652, within sixty (60) days of the date of any entry of judgment.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.

McCarter & English, LLP
Attorneys for Plaintiff

Dated: _____, 2010

By: _____
Frank E. Ferruggia
A Member of the Firm

Paul S. Barbire, Esq.
Attorney for Defendant

Dated: _____, 2010

By: _____
Paul S. Barbire, Esq.

McCARTER & ENGLISH, LLP
 Four Gateway Center
 100 Mulberry Street
 Newark, New Jersey 07102
 (973) 622-4444
 Attorneys for Plaintiff

CANNIZZO GROUP, LLC,

Plaintiff,

v.

BOROUGH OF WOOD RIDGE,

Defendant.

TAX COURT OF NEW JERSEY
 DOCKET NO.: 016462-2009

Civil Action

Stipulation of Settlement
 (Without Affidavit)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block: 282	Lot: 10	Year: 2009
Street Address: 150 Park Place East		
	Original Assessment	County Board Judgment
LAND	\$ 143,000	\$ 143,000
IMPVTS	\$ 347,300	\$ 347,300
TOTAL	\$ 490,300	\$ 490,300

Block: 282	Lot: 11	Year: 2009
Street Address: 154 Park Place East		
	Original Assessment	County Board Judgment
LAND	\$ 96,000	\$ 96,000
IMPVTS	\$ 5,400	\$ 5,400
TOTAL	\$ 101,400	\$ 101,400

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. All refunds as a result of the settlement set forth herein shall be payable to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652, within sixty (60) days of the date of any entry of judgment.
5. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.

McCarter & English, LLP
Attorneys for Plaintiff

Dated: _____, 2010

By: _____
Frank E. Ferruggia
A Member of the Firm

Paul S. Barbire, Esq.
Attorney for Defendant

Dated: _____, 2010

By: _____
Paul S. Barbire, Esq.

EXECUTIVE MEETING, OCTOBER 5, 2010

RESOLUTION NO.: 186-2010

WHEREAS, the Mayor and Council of the Borough of Wood-Ridge have been advised of the proposed settlement of a Tax Appeal filed on behalf of Cannizzo Group, LLC under Docket No.: -2010 for the year 2010, and

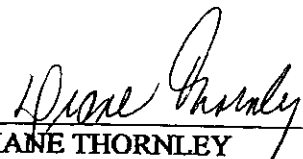
WHEREAS, the said Governing Body has been advised as to the merits of the subject Tax Appeals by legal counsel, expert appraisal personnel hired by the Borough as well as the Borough Tax Assessor; and

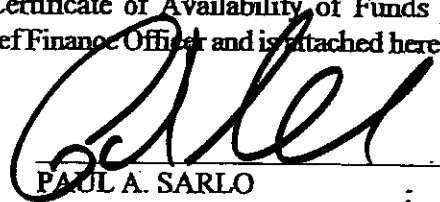
WHEREAS, the proposed Tax Appeals settlement components are as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, it is in the best interest of the Borough of Wood-Ridge to settle the subject Tax Appeals in accordance with the settlement proposal set forth hereinabove.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wood-Ridge that settlement of the said Tax Appeals be finalized in accordance with Schedule "A" attached and with respect to same, the Mayor, Borough Clerk and/or any other appropriate official is hereby authorized to perform any act in order to effectuate the purposes set forth in this Resolution.

BE IT FURTHER RESOLVED that the Certificate of Availability of Funds pursuant to N.J.S.A. 40A:4-57 has been certified to by the Chief Finance Officer and is attached hereto and made a part hereof.


DIANE THORNLEY
Borough Clerk


PAUL A. SARLO
Mayor

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

McCARTER & ENGLISH, LLP
 Four Gateway Center
 100 Mulberry Street
 Newark, New Jersey 07102
 (973) 622-4444
 Attorneys for Plaintiff

CANNIZZO GROUP, LLC,

Plaintiff,

v.

BOROUGH OF WOOD RIDGE,

Defendant.

TAX COURT OF NEW JERSEY
 DOCKET NO.: _____-2010

Civil Action

Stipulation of Settlement
 (Without Affidavit)

1. It is hereby stipulated and agreed that the assessment of the following property be adjusted and a judgment be entered as follows:

Block:	282	Lot:	10	Year:	2010
Street Address:	150 Park Place East				
	Original Assessment	County Board Judgment	Requested Tax Court Judgment		
LAND	\$ 143,000	\$ 143,000	\$ 143,000		
IMPVTS	\$ 347,300	\$ 347,300	\$ 255,600		
TOTAL	\$ 490,300	\$ 490,300	\$ 398,600		

Block:	282	Lot:	11	Year:	2010
Street Address:	154 Park Place East				
	Original Assessment	County Board Judgment	Requested Tax Court Judgment		
LAND	\$ 96,000	\$ 96,000	\$ 96,000		
IMPVTS	\$ 5,400	\$ 5,400	\$ 5,400		
TOTAL	\$ 101,400	\$ 101,400	\$ 101,400		

2. The undersigned have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into the Stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law.
4. The parties acknowledge that the Court does not have jurisdiction over the terms of this Paragraph. However, this Paragraph shall be considered an integral part of the Agreement, the consideration for which this Agreement has, in part been into by the parties. The parties agree that the total assessment for Block 282 Lot 10 shall be \$348,600 for the 2011 tax year and that the total assessment for Block 282 Lot 11 shall be \$101,400 for the 2011 tax year and further agree that either party shall have the right to file a tax appeal for the 2011 tax year to obtain a judgment to implement, enforce, and/or confirm the assessments agreed upon herein. This agreement shall be binding upon any assignees, tenants, and successors in interest with regard to the subject property.
5. All refunds as a result of the settlement set forth herein shall be payable to McCarter & English, LLP attorneys for Plaintiff, and forwarded to Frank E. Ferruggia, Esq., McCarter & English, LLP, Four Gateway Center, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652, within sixty (60) days of the date of any entry of judgment.
6. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment.

McCarter & English, LLP
Attorneys for Plaintiff

Dated: _____, 2010

By: _____
Frank E. Ferruggia
A Member of the Firm

Paul S. Barbire, Esq.
Attorney for Defendant

Dated: _____, 2010

By: _____
Paul S. Barbire, Esq.

RESOLUTION 187-2010

Be it resolved by the Mayor and Council of the Borough of Wood Ridge of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the NJDOT Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB 2009 Coordinated Road Program Phase II – 7th & 9th Streets

CONTRACTOR AJM Contractors, Inc., 300 Kuller Road, Clifton, NJ 07011

NJDOT CHANGE ORDER NO. 3 & Final

AMOUNT OF CHANGE THIS RESOLUTION +\$4,825.45 (+3.74%) Increase

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

Dated:

Certified:

Treasurer

Dated:

Approved:

Mayor

NEA FILE: WRIDMUN09.012

I, Diane Thornley, Clerk of the Borough of Wood Ridge, Bergen County, New Jersey do hereby certify that the foregoing Resolution was adopted by the Mayor and Council of the Borough of Wood Ridge at a regular meeting held October 5, 2010.

Dated: 10/5/10

Clerk

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

Executive Meeting, October 5, 2010

RESOLUTION 188-2010

CLOSE OF CONTRACT

Introduced by Councilperson:

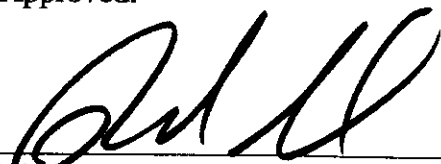
Seconded by Councilperson

Be it resolved by the Mayor and Council of the Borough of Wood-Ridge, Bergen County, New Jersey that the contract for 2009 Coordinated Road Program Phase II-7th & 9th Streets was constructed by AJM Contractors, 300 Kuller Road, Clifton, NJ 07011, in accordance with the Plans and Specifications and any approved Change Orders, as directed by the Borough Engineer. The Contractor having supplied a 25% Guarantee Bond No. 39BCSFM9171M for a period of two (2) years from August 1, 2010. The said construction is hereby accepted and final payment in the amount of Four Thousand Four Hundred Ninety Seven Dollars and Forty Nine Cents (\$4,497.49) is hereby approved.

This Resolution to take effect immediately.

Dated: _____

Approved:

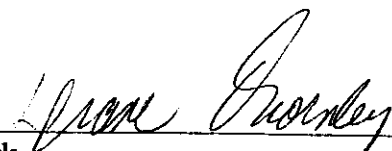


Mayor

CERTIFICATION

I, Diane Thornley, Clerk of the Borough of Wood-Ridge, Bergen County, New Jersey, do hereby certify that the Mayor and Council of the Borough of Wood-Ridge, at a regular meeting held, adopted the foregoing resolution October 5, 2010.

Dated: 10/5/10



Clerk

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

Executive Meeting, October 5, 2010

RESOLUTION 189-2010

Be it resolved by the Mayor and Council of the Borough of Wood Ridge of Bergen County, New Jersey upon the recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB Windsor Road Improvements

CONTRACTOR Cifelli & Son, 4 Coppola Street, Nutley, NJ 07110

CHANGE ORDER NO. 1

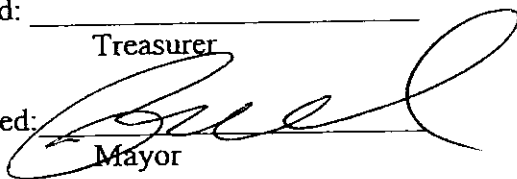
AMOUNT OF CHANGE THIS RESOLUTION -\$4,360.67 -(2.50% Decrease)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

Dated: _____

Certified: _____
Treasurer

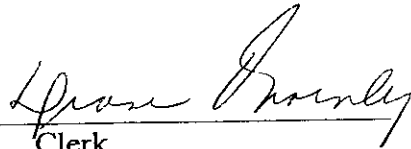
Dated: _____

Approved: 
Mayor

NEA FILE: WRIDMUN10.012

I, Diane Thornley, Clerk of the Borough of Wood Ridge, Bergen County, New Jersey do hereby certify that the foregoing Resolution was adopted by the Mayor and Council of the Borough of Wood Ridge at a regular meeting held _____

Dated: _____


Clerk

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

EXECUTIVE MEETING, OCTOBER 5, 2010

Resolution 190-2010

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Wood-Ridge desires to further the public interest by obtaining a matching grant of \$25,000.00 from the County Trust Fund to fund the following project: Wood-Ridge Memorial Library Historic Preservation Plan and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body/board will hold/has held a public hearing on October 5, 2010 to receive comments prior to the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

NOW, THEREFORE, BE IT RESOLVED by the Borough of Wood-Ridge Mayor and Council:

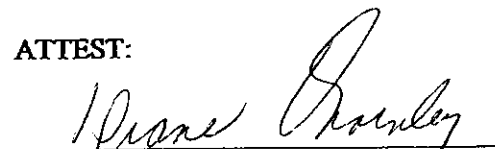
1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 8, 2010, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and,
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

APPROVED:



PAUL A. SARLO, MAYOR

ATTEST:



DIANE THORNLEY, Borough Clerk

Motion: Councilman Altamura, seconded by Councilwoman Cassidy moved the adoption of the above resolution.

Rollcall: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

Councilman Azzolini: advised on Finance, that tax bills will be going out this week and a memorandum to all Department and Vendors of the Borough regarding end-of-year spending freeze.

Borough Auditor Vinci: spoke on the Bond Sale and advised that the Borough of Wood-Ridge has an AA Community Rating. The higher the rating the lower the interest rate and advised the council on the payment of the bonds.

Administrator Eilert: passed around the 2011 Calendar, which is a combined Fire Department/Recycling Calendar.

Mayor: spoke on Valley Blvd. being completed, it just has to be striped. He thanked Mr. Marino for all his work on the 5k Race. There are approximately 250 people registered.

Mr. Frank Covelli(PIA): he gave his annual report which is on file in the Borough.

Councilman Marino: handed out the Wood-Ridge Shared Services Committee initial findings. Advised that its not too late to sign up for the 5K Race.

Councilman Altamura: asked if the Mayor could check his calendar for December 3 for the Annual Pasta Dinner.

Councilman Carbonaro: advised that there could be a possible Zoning Ordinance introduced.

Appointments:

- A. Susan Schulz as Shade Tree Secretary retroactive to May 1, 2010
- B. Fran Polito as Alternate Registrar retroactive to July 1, 2010

Motion: Councilman Altamura seconded by Councilwoman Cassidy moved to approve the above appointments.

Roll call: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

Outstanding Agenda Items:

Board of Health requesting approval and consent of the governing body on the following:

To hold Seasonal Influenza Program 2010 at the Senior Center November 19th 1:30-3:00 pm and December 6th 5:30-6:30 pm

Motion: Councilman Azzolini seconded by Councilwoman Cassidy moved to approve the above appointments.

Roll call: Altamura yes, Gonnella absent, Cassidy yes, Carbonaro yes, Azzolini yes, Marino yes.

HEARING OF CITIZENS:

Mayor Sarlo declared the Hearing of Citizens to be open. Anyone wishing to speak please come to the microphone in front of the room and state your name and address. Please speak clearly into the microphone.

Averil Genton 482 Innes Road - she inquired about the 2 Resolutions on Tax Appeals Ordinance and was explained to her by the Borough Attorney. She was advised that tax bills will be going out October 6th. She asked about Westmont progress and was advised sewers are going in this week. Asked about Assumption School and the Mayor advised that the negotiations are ongoing. This would be considered a shared service. At the Mayor & Council Meeting of October 19th, the Borough will be recognizing Assumption School. She asked about electricity. It was advised that we buy electricity from a different source, getting a better price.

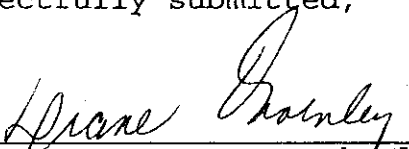
Mr. Cliff Carlson 28 Fifth Street - he spoke on the new calendar. Suggested putting a sticker on the envelope letting residents know it is also the Recycling Calendar. He also spoke on Shared Services with the Wood-Ridge Police and the Hasbrouck Heights Police. The Mayor advised that this matter was looked into in the past.

Seeing none and hearing none further, the Mayor declared the Hearing of Citizens closed.

ADJOURNMENT:

Since there was no further business to come before the Council, Councilperson Azzolini seconded by Councilman Altamura moved for adjournment. By unanimous vote of the members of the Council present, the Executive Meeting of the Mayor and Council of the Borough of Wood-Ridge held on October 5, 2010 was duly adjourned at 8:25P.M.

Respectfully submitted,


DIANE THORNLEY, Borough Clerk