

Minutes of the 1834th Regular Meeting of March 6, 2019

CALLED TO ORDER:

Mayor Sarlo called the Borough of Wood-Ridge Council meeting to order at 7:00 pm.

PLEDGE OF ALLEGIANCE was led by Councilman Azzolini

ROLL CALL:

Mayor:	Paul Sarlo – present
Council:	Catherine Cassidy – present
	Ezio Altamura – present
	Dominick Azzolini – present
	Edward Marino – present
	Joseph DiMarco – present
	Philip Romero – present
Borough Attorney:	Paul Barbire – present
Borough Engineer:	Brian Intindola – excused
Borough Clerk:	Gina Affuso – present
Borough Administrator:	Chris Eilert – present

OPEN PUBLIC MEETINGS ACT STATEMENT:

This meeting is being held in accordance with P.L. 1975, Chapter 231. The notice requirements have been met by forwarding appropriate notice to The Record and Star Ledger setting forth the date, time and place of said meeting and by posting a copy of same on the Municipal Bulletin Board.

Mayor Sarlo took this opportunity to thank the Department of Public Works for the work they did during the past few snow events and cleaning up the town. Mayor updated residents on the Governor’s visit to the Borough today on his visit and press conference at the NJ Transit Way Station. He also congratulated the Wood-Ridge High School Basketball Team on winning the North Jersey Group 1 Sectional Champs and moving on to the next round.

CEREMONIAL PRESENTATION:

Mayor Sarlo and Councilman Altamura were joined by Coaches Ricardo Vazquez, George Mendoza, Raymond Crews, William Schweizer, Remy Ottevaere to present certificates to the following boys and girl of the Wood-Ridge 12U Soccer Division Champions Team:

Jake Burke	Dean Cardia	Drew Cardia	Kameron Crews
Brandon DiMascio	Anthony Drotos	Chase LoPresti	Lucas Mendoza
Michael Metcalfe	Daniel, Myrto	Grace Ottevaere	Nicholas Scalera
Christopher Schweizer	Alex Vazquez	Sergio Vazquez	

At this time, a brief recess was taken.

The meeting reconvened at 7:12 pm.

ADVERTISED PUBLIC HEARING: None

ORDINANCES ON SECOND READING AND FINAL PASSAGE:

ORDINANCE NO.: 2019-1 (Public Right of Way Permission to Install of Fiber Optic Cable on Existing Telephone Poles)

ORDINANCE GRANTING PERMISSION TO AT&T CORP. TO INSTALL COMMUNICATIONS FACILITIES ALONG, UNDER AND OVER THE PUBLIC RIGHT-OF-WAY IN ORDER TO PROVIDE COMMUNICATIONS SERVICES TO THE PUBLIC

Advertisement of the above Ordinance has been made according to law and a copy of the Ordinance was posted on the bulletin board.

Mayor Sarlo called for a Hearing of Citizens on Ordinance No. 2019-1

Mayor Sarlo closed Hearing of Citizens on Ordinance No. 2019-1

Motion: Councilperson Azzolini, seconded by Cassidy moved to the adoption of Ordinance No. 2019-1

Roll Call: Cassidy yes, Altamura yes, Azzolini yes, Marino yes, DiMarco yes, Romero yes

BOND ORDINANCE NO.: 2019-2 (Acquisition of Property – 305 Hackensack Street)

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR USE AS A PARKING LOT IN, BY AND FOR THE BOROUGH OF WOOD-RIDGE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$450,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

Advertisement of the above Bond Ordinance has been made according to law and a copy of the Ordinance was posted on the bulletin board.

Mayor Sarlo called for a Hearing of Citizens on Bond Ordinance No. 2019-2

Mayor Sarlo closed Hearing of Citizens on Bond Ordinance No. 2019-2

Motion: Councilperson Cassidy, seconded by DiMarco moved to the adoption of Bond Ordinance No. 2019-2

Discussion: Rich Martinelli of 216 Tenth Street asked where the property was and what it would be used for. Mayor Sarlo stated it was on the corner of Innes and Hackensack Street and the borough is going to purchase it and put landscaping, a welcome to Wood-Ridge sign as well as parking spaces that can support our school during sporting events.

Roll Call: Cassidy yes, Altamura yes, Azzolini yes, Marino yes, DiMarco yes, Romero yes

ORDINANCES ON FIRST READING: None

PETITIONS: None

BIDS: None

COMMUNICATIONS:

Communications and correspondence received are identified on this evening's agenda have been distributed to all Council for appropriate action.

REPORTS OF GOVERNING BODY:

Council President Catherine Cassidy congratulated Grace Ottevaere as she remembers what it was like being the only female to play on an all boy sports team.

- Councilman Ezio Altamura – no report
- Councilman Dominick Azzolini – no report
- Councilman Edward Marino – no report
- Councilman Joseph DiMarco – no report
- Councilman Philip Romero – no report

REPORTS OF OFFICERS: On file in clerk's office

- Administrator Eilert stated the auditors have completed their annual review and we expect to receive a good report shortly.
- Borough Clerk Affuso
- Attorney Barbire
- Engineer Neglia

REPORTS OF DEPARTMENTS: On file in clerk's office

- | | |
|----------------------------|----------------------------|
| Administration | Fire Department |
| CFO/Finance | Department of Public Works |
| Construction Code Official | Police Department |
| Municipal Court | Tax Collector |
| Emergency Management | Welfare Director |

REPORTS OF BOARDS OR COMMISSIONS: On file in clerk's office

- | | |
|-----------------------|------------------------|
| Planning Board | Shade Tree Commission |
| Board of Education | Senior Citizens |
| Recreation Commission | Veterans |
| Library Board | Local Assistance Board |
| Board of Health | Other |

FIRST HEARING OF CITIZENS:

Mayor Sarlo declared the hearing of citizens to be open.

Cheri Ottevaere of 435 North Avenue asked when the plans for the new fields would be available for view. Mayor Sarlo stated the public unveiling would be available for viewing in April and would be publicly announced.

Seeing no further citizens wishing to be heard, Mayor Sarlo declared the hearing of citizens to be closed.

ITEMS VOTED SEPARATELY:

Councilperson Romero requested a separate roll call on item b of Seminar Approvals.

SEMINAR APPROVALS:

- b. Kellie Romero to attend Tax Collector Conference on May 14, 15 & 16, 2019 in Atlantic City.

Motion: Councilperson Altamura, seconded by DiMarco moved to the adoption of Seminar Approvals.

Roll Call: Cassidy yes, Altamura yes, Azzolini yes, Marino yes, DiMarco yes, Romero abstain

CONSENT AGENDA:

All matters listed below are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

MINUTES:

Minutes of the Regular Meeting of February 20, 2019

RESOLUTIONS: Adoption of the following

**RESOLUTION NO.: 056-2019
RESOLUTION AUTHORIZING MAYOR AND CLERK TO EXECUTE CONTRACT FOR
PISTOL RANGE FACILITY SERVICES WITH BOROUGH OF MOONACHIE**

WHEREAS, N.J.S.A. 40A:65-2 et seq. authorizes contracting units to enter into Shared Service Agreements: and

WHEREAS, the Boroughs of Wood-Ridge and the Borough of Moonachie desire to enter into an agreement with each other for the use of the Pistol Range Facilities located in the Borough of Wood-Ridge; and

WHEREAS, the agreement document to be executed by the Borough of Wood-Ridge and the Borough of Moonachie for the purposes hereinabove described is annexed hereto and is made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wood-Ridge, County of Bergen, and State of New Jersey as follows:

1. The Mayor and Borough Clerk of the Borough of Wood-Ridge are hereby authorized and directed to execute the attached Contract with the Borough of Moonachie

2. This contract is awarded pursuant to appropriate Law of the State of New Jersey specifically but not by way of limitation, N.J.S.A. 40A:65-2, et seq. as well as any other pertinent inter-local governmental statutes appertaining thereto.

3. All Ordinances and/or Resolutions or parts thereof inconsistent with this Resolution shall be and the same are hereby repealed.

4. This Resolution shall take effect immediately in accordance with appropriate law.

RESOLUTION NO.: 057-2019
RESOLUTION APPROVING SHURIN LITIGATION SETTLEMENT AGREEMENT

WHEREAS, the Mayor and Council of the Borough of Wood-Ridge have been advised of the proposed settlement of litigation captioned "Shurin vs. Borough of Wood-Ridge, et als. under Docket No.: BER-L-004702-18"; and

WHEREAS, the said Governing Body has been advised as to the merits of the settlement of the subject litigation by legal counsel; and

WHEREAS, the proposed litigation 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 litigation 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 litigation 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.

RESOLUTION NO.: 058-2019

RESOLUTION TO CONTRACT FOR PROFESSIONAL ARCHITECT WITHOUT COMPETITIVE BIDDING FOR PREPARATION OF CONCEPT STUDIES FOR ADDITIONS AND REORGANIZATION OF THE MUNICIPAL COMPLEX

WHEREAS, there exists a need for the services of an Architect to prepare concept studies for additions and reorganization of the Municipal Complex located at 85 Humboldt Street; and

WHEREAS, the maximum amount of the Contract is \$15,500.00 and funds are subject to an appropriation by the Mayor and Council of the Borough of Wood-Ridge, to be provided by the Local Finance Office when appropriated; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:111 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the Contract itself must be available for public inspection;

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

1. The Mayor and Borough Clerk of the Borough of Wood-Ridge are hereby authorized and directed to execute the attached Contract with DiCara Rubino Architects.
2. This Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services are to be performed by a person authorized by law to practice a recognized profession.
3. A Notice of this action shall be printed once in the local newspaper.

RESOLUTION NO.: 059-2019

RESOLUTION TO PURCHASE 2019 CHEVY TAHOE FROM DAY CHEVROLET PER STATE CONTRACT FOR USE BY THE POLICE DEPARTMENT

WHEREAS, there is a need to purchase a 2019 Chevrolet Tahoe 4WD Police Vehicles for use by the Police Department in the Borough of Wood-Ridge, County of Bergen, State of New Jersey; and

WHEREAS, said vehicle may be purchased through State Contract #89938; and

WHEREAS, the maximum amount of the purchase contract is \$35,869.14 and the Financial Officer has determined sufficient funds are available in the General Account as is evidenced by Treasurer's Certification attached hereto and made a part hereof; and

WHEREAS, public bids are not required when the purchase is pursuant to a state contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law.

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

1. The Mayor and Borough Clerk of the Borough of Wood-Ridge are hereby authorized and directed to execute any and all documents necessary to effectuate the purchase of a 2019 Chevrolet Tahoe 4WD Police Vehicles made reference to hereinabove.

2. Any and all appropriate Borough officials are hereby authorized to execute any additional documentation which may be required with respect to this vehicle purchase. In addition the Mayor and Council of the Borough of Wood-Ridge hereby confirm and ratify any and all prior actions taken by the various officials of the Borough of Wood-Ridge with respect to the subject vehicle purchase and/or agreement and/or appropriation.

3. All Ordinances and/or Resolutions or parts thereof inconsistent with this Resolution shall be and the same are hereby repealed.

4. This Resolution shall take effect immediately in accordance with appropriate law.

**RESOLUTION NO.: 060-2019
RESOLUTION AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE
AGREEMENT RELATED TO THE ACQUISITION OF 305 HACKENSACK STREET**

WHEREAS, the Borough of Wood-Ridge is desirous of purchasing 305 Hackensack Street, in the Borough of Wood-Ridge, New Jersey, Block 8, Lot 4 (the "Property") for a purchase price of \$325,000 to use as a parking lot; and

WHEREAS, subject to a bond ordinance being approved by the Council funds will be available to make said purchase; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Wood-Ridge, in the County of Bergen, State of New Jersey that the Borough is hereby authorized to enter into a Purchase and Sale Agreement for the purchase of property located at 305 Hackensack Street in the Borough of Wood-Ridge; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute the Purchase and Sale Agreement and any and all instruments relating thereto or necessary to complete the purchase as approved by Gerald R. Salerno, Special Counsel to the Borough; and

BE IT FURTHER RESOLVED, Gerald R. Salerno as special counsel to the Borough in connection with the purchase is hereby authorized to proceed with due diligence and order a title search and survey and take any other steps necessary to complete the purchase pending the passage of the appropriate ordinances.

RESOLUTION NO.: 061-2019
Resolution Re: Authorizing the Transfer of 2018 Budget Appropriation Reserves

WHEREAS, N.J.S. 40A:4-59 provides that if, during the first three months of any fiscal year, the amount of any appropriation reserve for the immediately preceding fiscal year is insufficient to pay the claims authorized or incurred during said preceding year which were chargeable to said appropriation, and there shall be an excess in any appropriation reserves over and above the amount deemed to necessary to fulfill its purpose, the Governing Body may, by resolution adopted by not less than a 2/3 vote of the full membership thereof, transfer the amount of such excess to an appropriation reserve or any appropriation in the prior budget deemed to be insufficient to fulfill its purpose or for which no reserve was provided.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Wood-Ridge that the following transfers in the 2018 Budget Appropriation Reserves be authorized:

<u>Account</u>	<u>From</u>	<u>To</u>
Municipal Clerk		
Other Expenses	\$ 6,000	
Financial Administration		
Other Expenses	6,000	
Technology and Information Systems		
Other Expenses	1,000	
Legal Services		
Other Expenses		\$ 4,000
Engineering Services		
Other Expenses	11,000	
Insurances		
General Liability	23,000	
Employee Group Health	14,000	
Police Department		
Salaries and Wages		50,000
Other Expenses	5,000	
Office of Emergency Management		
Salaries and Wages		2,000
Streets and Road Maintenance		
Other Expenses	5,000	
Solid Waste Collection		
Garbage and Trash Removal	12,000	
Recycling Program		
Other Expenses	4,000	
Buildings & Grounds		
Other Expenses		10,000
Sewer System Maintenance		
Other Expenses		32,000

<u>Account</u>	<u>From</u>	<u>To</u>
Vehicle Maintenance		
Other Expenses	\$ 2,000	
Utilities		
Street Lighting	7,000	
Telephone		\$ 4,000
Natural Gas and Electricity	2,000	
Gasoline	2,000	
Social Security	2,000	-
	<u>\$ 102,000</u>	<u>\$ 102,000</u>

RESOLUTION NO.: 062-2019

RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT WITH WOOD-RIDGE DEVELOPMENT, L.L.C. WITH RESPECT TO A PORTION OF THE WESMONT STATION REDEVELOPMENT AREA.

WHEREAS, the Borough of Wood-Ridge, in the County of Bergen, New Jersey (the “**Borough**”) a public body corporate and politic of the State of New Jersey, and Wood-Ridge Development, L.L.C. (the “**Redeveloper**”) a New Jersey limited liability company entered into an Amended and Restated Redevelopment Agreement dated March 1, 2013 (the “**Agreement**”); and

WHEREAS, the Parties have determined that there is a need to amend the Agreement to reflect changing economic conditions, and recognizing the ongoing demand for additional residential housing, to be balanced with an appropriate level of density consistent with the development which has already taken place in the Borough in the Westmont Station Redevelopment Area; and

WHEREAS, the Municipal Council desires to authorize the execution of a First Amendment to the Agreement with the Redeveloper (the “**First Amendment**”); and

WHEREAS, the Municipal Council has determined that the execution of the First Amendment with the Redeveloper is in the best interests of the Borough and will facilitate the rehabilitation and redevelopment of the Borough and the Westmont Station Redevelopment Area.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Wood-Ridge, in the County of Bergen, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the First Amendment, with such modifications or revisions deemed necessary by the Mayor, and prepare, amend or execute any other agreements necessary to effectuate the First Amendment and this Resolution.

Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. This Resolution shall take effect in accordance with all applicable laws.

RESOLUTION NO.: 063-2019

RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND LIMITED RELEASE WITH WOOD-RIDGE INDUSTRIAL, L.L.C. WITH RESPECT TO PENDING TAX APPEALS

WHEREAS, Wood-Ridge Industrial Prop, L.L.C. ("**Wood-Ridge Industrial**") is the owner of Block 320, Lot 1.01 on the tax map of the Borough of Wood-Ridge, New Jersey (the "**Industrial Property**"); and

WHEREAS, Wood-Ridge Industrial has filed tax appeals related to the Industrial Property with the Tax Court of New Jersey (the "**Tax Appeals**"); and

WHEREAS, the parties wish to settle the Tax Appeals for the years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016 and further the redevelopment of the Industrial Property; and

WHEREAS, the Municipal Council desires to authorize the execution of a Settlement Agreement and Limited Release with Wood-Ridge Industrial (the "**Settlement Agreement**"); and

WHEREAS, the Municipal Council has determined that the execution of the Settlement Agreement is in the best interests of the Borough and will facilitate the rehabilitation and redevelopment of the Industrial Property.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Wood-Ridge, in the County of Bergen, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the Settlement Agreement, with such modifications or revisions deemed necessary by the Mayor, and prepare, amend or execute any other agreements necessary to effectuate the Settlement Agreement and this Resolution.

Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. This Resolution shall take effect in accordance with all applicable laws.

RESOLUTION NO.: 064-2019

RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT WITH FLEET WOOD-RIDGE L.L.C. WITH RESPECT TO A PORTION OF THE WESMONT STATION REDEVELOPMENT AREA.

WHEREAS, the Borough of Wood-Ridge, in the County of Bergen, New Jersey (the “**Borough**”) a public body corporate and politic of the State of New Jersey, and Fleet Wood-Ridge, L.L.C. (the “**Redeveloper**”) a New Jersey limited liability company entered into a Redevelopment Agreement dated April 12, 2007 (the “**Agreement**”); and

WHEREAS, the Parties have determined that there is a need to amend the Agreement to achieve mutual goals and to reflect changing economic conditions, and recognizing the ongoing demand for additional residential housing, to be balanced with an appropriate level of density consistent with the development which has already taken place in the Borough in the Westmont Station Redevelopment Area; and

WHEREAS, the Redeveloper is in the process of building six (6) single family homes on Lots 1.03-1.08 in Block 333 and desires to build townhomes, as opposed to single family homes, on what are currently known as Lots 1.10-1.19 in Block 333; and

WHEREAS, with the development of townhomes as opposed to single family homes, the Redeveloper will be able to donate to the Borough a portion of Lot 1.19 in Block 333, in addition to Lot 1.20 in Block 333, so that the Park Parcel can be constructed as a barrier free Park; and

WHEREAS, the Municipal Council desires to authorize the execution of a First Amendment to the Agreement with the Redeveloper (the “**First Amendment**”); and

WHEREAS, the Municipal Council has determined that the execution of the First Amendment with the Redeveloper is in the best interests of the Borough and will facilitate the rehabilitation and redevelopment of the Borough and the Westmont Station Redevelopment Area.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Borough of Wood-Ridge, in the County of Bergen, New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Mayor, in consultation with counsel to the Borough, is hereby authorized to execute the First Amendment, with such modifications or revisions deemed necessary by the Mayor, and prepare, amend or execute any other agreements necessary to effectuate the First Amendment and this Resolution.

Section 3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. This Resolution shall take effect in accordance with all applicable laws.

APPLICATIONS:

- a. Application from Corpus Christi Church for an On-Premise 50/50 and Tricky Tray on April 3, 2019 at the Fiesta.

All applications listed above have been reviewed and approved by the Wood-Ridge Police Department.

SEMINAR APPROVALS:

- a. Stephen Drotos to attend Municipal Finance Seminar on April 26, 2019.

APPOINTMENTS:

- a. Adam Swieczkowski appointed as a new member of the Fire Department effective March 4, 2019.

HIRINGS:

- a. Thomas Reilly hired as Full-Time Crossing Guard effective February 19, 2019.

Motion: Councilperson Altamura, seconded by Cassidy moved to the adoption of all matters on the above **CONSENT AGENDA.**

Roll Call: Cassidy yes, Altamura yes, Azzolini yes, Marino yes, DiMarco yes, Romero yes

UNFINISHED BUSINESS: None

NEW BUSINESS: None

SECOND HEARING OF CITIZENS:

Mayor Sarlo declared the Hearing of Citizens to be open.

Rich Martinelli of 216 Tenth Street asked what a full time crossing guard was. Administrator Eilert explained they worked 2 shifts as opposed to 1.

Seeing no further citizens wishing to be heard, Mayor Sarlo declared the hearing of citizens to be closed.

ADJOURNMENT:

Since there was no further business to come before the Council, Councilperson Romero, seconded by Councilperson Cassidy moved for adjournment. By unanimous vote of the members of the Council present, the Regular Meeting of the Mayor and Council of the Borough of Wood-Ridge held on March 6, 2019 was duly adjourned at 7:22 p.m.

Respectfully submitted,

Gina Affuso, RMC