

**AGENDA  
BOROUGH OF CLIFFSIDE PARK, NEW JERSEY  
MAYOR AND COUNCIL REGULAR MEETING  
MARCH 2, 2010**

**CALL TO ORDER AT 6:00 P.M.**

**ROLL CALL:**

**FLAG SALUTE:**

**"OPEN PUBLIC MEETINGS ACT" STATEMENT: THIS IS A REGULAR SESSION OF THE MAYOR AND COUNCIL, AND NOTICE WAS GIVEN AS FOLLOWS:**

1. NOTICE FILED JANUARY 15, 2010 WITH THE RECORD AND JANUARY 18, 2010 WITH THE JERSEY JOURNAL DISPATCH, OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

**MINUTES:**

ACCEPT REGULAR MEETING MINUTES:	FEBRUARY 9, 2010
ACCEPT CAUCUS MEETING MINUTES:	FEBRUARY 9, 2010

**CONSENT AGENDA:**

RESOLUTION 2010-46	TAX APPEAL SETTLEMENT WITH VERIZON - NEW JERSEY, INC.
RESOLUTION 2010-47	OPPOSING LEGISLATION AMENDING THE TIME OF DECISION RULE
RESOLUTION 2010-48	URGING THE STATE LEGISLATURE TO REFORM INTEREST ARBITRATION
RESOLUTION 2010-49	REDEMPTION OF TAX TITLE LIEN #03-05; 363 WASHINGTON AVE
RESOLUTION 2010-50	REDEMPTION OF TAX TITLE LIEN #09-15; 200 WINSTON DRIVE, APT 520
RESOLUTION 2010-51	APPROVAL OF THE 2010 CLIFFSIDE PARK ANDERSON AVENUE SIDEWALK SALES FOR SPRING, SUMMER AND AUTUMN
RESOLUTION 2010-52	APPROVAL OF TOW TRUCK COMPANIES IN CLIFFSIDE PARK
RESOLUTION 2010-53	AUTHORIZE MAYOR CALABRESE TO SIGN DEVELOPER'S AGREEMENT FOR 448 PALISADE AVENUE
RESOLUTION 2010-54	AUTHORIZE MAYOR CALABRESE TO SIGN ARCHITECTURAL SERVICES CONTRACT
RESOLUTION 2010-55	AUTHORIZE MAYOR CALABRESE TO SIGN SEWER EASEMENT AGREEMENT

**OFF CONSENT AGENDA:**

RESOLUTION 2010-56	APPOINTMENT OF JANET MERRILL AS A HOUSING AUTHORITY COMMISSIONER
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**ORDINANCES: INTRODUCTION**

ORDINANCE 2010-02

ORDINANCE AMENDING ORDINANCE 16-89 AND  
22-89 ENTITLED CHAPTER 9 'PARKING METERS'  
OF THE REVISED GENERAL ORDINANCES OF THE  
BOROUGH OF CLIFFSIDE PARK

**COMMITTEE REPORTS:**

**PUBLIC PORTION:**

**ADJOURN:**

\*(Agenda is subject to change as a result of matters not known at time of printing)

MARCH 2, 2010

**BOROUGH OF CLIFFSIDE PARK  
BERGEN COUNTY, NEW JERSEY**

**MINUTES OF THE REGULAR MEETING MARCH 2, 2010**

**CALL TO ORDER AT 6:00 P.M.**

**PRESENT AT ROLL CALL:**

Mayor	Gerald A. Calabrese
Councilwoman	Donna Spoto
Councilman	Bernard Fontana
Councilman	Larry Bongard
Councilman	Thomas Calabrese
Councilwoman	Dana Martinotti

**ABSENT AT ROLL CALL:**

**On a motion by Councilman T. Calabrese, seconded by Councilman Bongard, Councilman Corcoran was given an excused absence.**

**ROLL CALL:**

**AYES: Spoto, Fontana, Bongard, T. Calabrese, Martinotti. ABSENT: Corcoran.**

**FLAG SALUTE LEAD BY MAYOR CALABRESE**

**SERCAN ZOKLU STATED:**

**ADEQUATE NOTICE OF THIS MEETING WAS GIVEN TO THE PRESS AND POSTED AS REQUIRED. DATE AND TIME OF THIS MEETING WAS LEGALLY GIVEN AS REQUIRED BY THE "OPEN PUBLIC MEETINGS ACT."**

**THIS NOTICE IS ON FILE WITH THE MUNICIPAL CLERK AND POSTED ON THE BULLETIN BOARD.**

**MINUTES OF THIS MEETING WILL BE MADE AVAILABLE TO THE PUBLIC UPON THE COMPLETION OF TYPING AND PROOFREADING BY THE MUNICIPAL CLERK.**

**MINUTES OF THE CAUCUS MEETING OF FEBRUARY 9, 2010 WERE ACCEPTED ON A MOTION BY COUNCILMAN BONGARD, SECONDED BY COUNCILWOMAN SPOTO, AND CARRIED.**

**MINUTES OF THE REGULAR MEETING OF FEBRUARY 9, 2010 WERE ACCEPTED ON A MOTION BY COUNCILMAN BONGARD, SECONDED BY COUNCILWOMAN SPOTO, AND CARRIED.**

**ON CONSENT AGENDA:**

**RESOLUTIONS:**

**On a motion by Councilman Bongard, seconded by Councilman T. Calabrese, Resolutions 2010-46 to 2010-55 were offered for adoption:**

**ROLL CALL:**

**AYES: Spoto, Fontana, Bongard, T. Calabrese, Martinotti. ABSENT: Corcoran.**

**RESOLUTION 2010-46**

**WHEREAS, the Borough of Cliffside Park is currently the defendant in a lawsuit wherein Verizon – New Jersey, Inc. (hereinafter "plaintiff/taxpayer") has appealed the assessment of taxes on property known as Lot 1 in Block 2202 for the tax years 2007, 2008, 2009 and 2010 in the Tax Court of New Jersey; and**

WHEREAS, the plaintiff/taxpayer has contended that the assessment on its property is excessive; and

WHEREAS, the plaintiff/taxpayer has proposed a certain reduced assessment to Frank Bucino, the Tax Assessor for the Borough, as a compromise and settlement of the above-referenced lawsuit in the Tax Court of New Jersey; and

WHEREAS, the Tax Assessor has engaged in negotiations with the attorneys for the taxpayer in connection with the proposed reduced assessment; and

WHEREAS, the Tax Assessor, Borough Attorney and Borough Appraiser, Robert McNerney have recommended that the Mayor and Council approve the following assessment on the subject property to effectuate a settlement of the lawsuit pending in the Tax Court of New Jersey:

Block:	2202		
Lot:	1		
Year:	2007	Withdrawn	
Year:	2008	Land:	\$ 540,000
		Improvements:	\$ 1,360,000
		Total:	\$ 1,900,000
Year:	2009	Land:	\$ 540,000
		Improvements:	\$ 1,260,000
		Total:	\$ 1,800,000
Year:	2010	Land:	\$ 540,000
		Improvements:	\$ 1,160,000
		Total:	\$ 1,700,000

WHEREAS, after discussion and deliberation, it is the opinion of the Mayor and Council that the herein specified assessment be approved; and

WHEREAS, the Borough does hereby direct the Borough Attorney Christos J. Diktas, Esq. to undertake all necessary steps, actions and legal proceedings in order to effectuate the settlement of the above-captioned lawsuit; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Tax Assessor, Frank Bucino, and the Attorney, Christos J. Diktas, Esq. are hereby authorized to proceed and to undertake all necessary and proper steps, actions and legal proceedings to effectuate the settlement of the above-captioned lawsuit in accordance with the assessment set forth herein.

**RESOLUTION 2010-47**

WHEREAS, S-82 AND A-437 ARE INTENDED TO MODIFY THE "TIME OF DECISION" RULE, WHICH CURRENTLY ALLOWS MUNICIPALITIES TO CHANGE THE ZONING REGULATIONS DURING THE PENDENCY OF AN APPLICATION FOR DEVELOPMENT; AND

WHEREAS, THE BILLS WOULD DEEM AS COMPLETE THE ORDINANCES IN EFFECT AT THE TIME OF AN APPLICATION AND SHALL GOVERN THE REVIEW OF THAT APPLICATION AND ANY DECISION MADE FOLLOWING UPON THAT REVIEW; AND

WHEREAS, "THE TIME OF DECISION RULE" IS A JUDICIALLY RECOGNIZED PRINCIPAL THAT DECISIONS ARE TO BE MADE ON THE BASIS OF LAWS, ORDINANCES AND REGULATIONS IN EFFECT AT THE TIME THE DECISION IS RENDERED, NOT UPON APPLICATION; AND

WHEREAS, COURTS HAVE APPLIED THE "TIME OF DECISION RULE" TO CORRECT ERRORS IN ZONING ORDINANCES, THUS GIVING LOCAL LEGISLATORS THE OPPORTUNITY TO CORRECT LEGISLATIVE POLICY THAT HAD BEEN FOUND TO BE IMPERFECTLY EXPRESSED; AND

WHEREAS, THE "TIME OF DECISION RULE" HAS PERMITTED A MUNICIPALITY TO GIVE ADDITIONAL LEGISLATIVE CONSIDERATION TO SERIOUS AND SUBSTANTIAL LAND USE PLANNING CONCERNS THAT, FOR WHATEVER REASON, HAD NOT BEEN PREVIOUSLY ADDRESSED IN THE ORDINANCE; AND

MARCH 2, 2010

WHEREAS, APPLICATION AND ZONING CHANGES REQUIRE PUBLIC DISCUSSION AND HEARINGS, AND S-82/A-437 WOULD PERMIT DEVELOPERS TO "BEAT THE CLOCK" BY FILING APPLICATIONS AND FREEZING THE ABILITY OF LOCAL OFFICIALS TO ACT; AND

NOW, THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, IN THE COUNTY OF BERGEN, IN THE STATE OF NEW JERSEY, HEREBY URGES OUR STATE LEGISLATORS TO OPPOSE A-4 AND S-82, AND ANY LEGISLATION WHICH WOULD ELIMINATE THE "TIME OF DECISION" RULE AT THE LOCAL LEVEL; AND

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO SENATOR ROBERT GORDON, ASSEMBLYWOMAN JOAN VOSS, ASSEMBLYWOMAN CONNIE WAGNER AND THE NEW JERSEY STATE LEAGUE OF MUNICIPALITIES AND THE OFFICE OF THE GOVERNOR.

### RESOLUTION 2010-48

WHEREAS, THE INTEREST ARBITRATION PROCESS WAS INTENDED TO FAIRLY AND ADEQUATELY GIVE ALL DUE CONSIDERATION TO THE INTEREST AND WELFARE OF THE TAXPAYING PUBLIC AND SUPPORT LOCAL GOVERNMENT AIMS BY ARRIVING AT AWKWARD DECISIONS THAT ARE EQUITABLE TO ALL INVOLVED PARTIES, INCLUDING MUNICIPALITIES AND POLICE AND FIRE DEPARTMENT PERSONNEL; AND

WHEREAS, THE NEW JERSEY EMPLOYER-EMPLOYEE RELATIONS ACT, ADOPTED IN 1968, WAS AMENDED IN 1977 TO PROVIDE FOR ARBITRATION AS THE STATUTORILY IMPOSED TERMINAL STEP IN THE COLLECTIVE BARGAINING PROCESS FOR POLICE AND FIRE PERSONNEL AS DEFINED BY THE ACT; AND

WHEREAS, THE POLICE AND FIRE INTEREST ARBITRATION REFORM ACT (L. 1995, C. 425) WAS SIGNED INTO LAW BY GOVERNOR CHRISTINE TODD WHITMAN AND BECAME EFFECTIVE ON JANUARY 10, 1996; AND

WHEREAS, IN THE LEAGUE OF MUNICIPALITIES' ARBITRATION REFORM COMMITTEE SUGGESTED A NUMBER OF LEGISLATURE REFORMS TO THE INTEREST ARBITRATION PROCESS AMONG THE CHANGES PROPOSED BY THE REFORM COMMITTEE WERE THAT: (1) THE ARBITRATOR MAY NOT AWARD SALARY INCREASES IN EXCESS OF THE EXPENDITURE CAP (N.J.S.A. 40A:4-45 ET SEQ.); (2) THE ARBITRATOR'S AWARD MAY PROVIDE FOR SALARY INCREASES LIMITED TO THE BUDGET CAP IMPOSED BY THE STATE OF NEW JERSEY AND/OR ANY LAWFUL ADJUSTMENT ADOPTED BY THE PUBLIC EMPLOYER; AND (3) THE ARBITRATOR'S AWARD MAY PROVIDE FOR SALARY INCREASES LIMITED TO THE PERCENTAGE ESTABLISHED BY THE STATE OR THE LAWFUL ADJUSTMENT ADOPTED BY THE PUBLIC EMPLOYER, AS MAY BE APPROPRIATE, ON A DEPARTMENT LINE BASIS; AND

WHEREAS, IN 2007 THE POLICE AND FIRE INTEREST ARBITRATION STATUTE WAS AMENDED TO ADD A NEW NINTH FACTOR OF THE 4% TAX LEVY CAP WHICH RESULTED IN 4 OF THE 9 STATUTORY FACTORS IN INTEREST ARBITRATION ADDRESSES THE EMPLOYER'S FISCAL SITUATION; AND

WHEREAS, MUNICIPALITIES ARE BOUND BY STRICT FISCAL CONTROLS EMBODIED IN THE EXPENDITURE LIMIT AND TAX LEVY CAPS AND IT IS THE NORM RATHER THAN THE EXCEPTION FOR STATE APPROVED ARBITRATORS TO AWARD RAISES FOR POLICE SALARIES AT RATES THAT EXCEED THE ANNUAL CAPS; AND

WHEREAS, BINDING ARBITRATION AWARDS IN EXCESS OF THE CAPS FORCES MUNICIPALITIES TO CUT OTHER CRITICALLY NEEDED MUNICIPAL SERVICES, IN ORDER TO FUND SALARY INCREASES, COMPOUNDED BY PENSION INCREASES, TO POLICE AND FIRE PERSONNEL, AND COST FOR POLICE AND FIRE SERVICES CONTINUE TO SPIRAL AT AN UNACCEPTABLE RATE; AND

WHEREAS, THE STATE APPROVED INTEREST BINDING ARBITRATION PROCESS IS INCONSISTENT WITH THE STATE CAP LAWS AND IS UNFAIR TO MUNICIPALITIES ATTEMPTING TO CONTROL PROPERTY TAXES THROUGH FISCAL RESPONSIBILITY; AND

MARCH 2, 2010

WHEREAS, INTEREST ARBITRATION SHOULD BE REFORMED TO PROVIDE FOR THE COST OF LIVING AND THE EMPLOYER'S ABILITY TO PAY SHOULD BE GIVEN GREATER WEIGHT AND THE TOTAL COSTS OF THE ARBITRATOR'S AWARD, INCLUDING STEPS AND COST OF LIVING (COLA) INCREASES, SHOULD NOT EXCEED THE COST OF LIVING; AND

WHEREAS, ARBITRATORS SHOULD BE REQUIRED TO EVALUATE AND ANALYZE THE TOTAL COST OF THE SALARIES AND BENEFITS, INCLUDING STEP INCREASES, AND MUST PROVIDE A DETAILED LINE ITEM ANALYSIS AND EXPLANATION OF THE COSTS IN THE AWARD; AND

WHEREAS, ARBITRATORS MUST ALSO EVALUATE AND ANALYZE THE OVERALL COMPENSATION RECEIVED BY THE BARGAINING UNIT, INCLUDING VACATIONS, LONGEVITY, HOLIDAYS, EXCUSED LEAVE, MEDICAL AND PENSION BENEFITS; AND

WHEREAS, ARBITRATORS SHOULD BE REQUIRED TO LIVE IN NEW JERSEY AND THE PROCESS OF SELECTING THE ARBITRATORS AND THE LENGTH OF TIME THE ARBITRATION PROCESS TAKES NEEDS TO BE REVIEWED; AND

NOW, THEREFORE, BE IT RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO SENATOR ROBERT GORDON, ASSEMBLYWOMAN JOAN VOSS, ASSEMBLYWOMAN CONNIE WAGNER, THE NEW JERSEY STATE LEAGUE OF MUNICIPALITIES AND THE OFFICE OF THE GOVERNOR.

#### RESOLUTION 2010-49

WHEREAS, MARK SOKOLICH, ESQ. FOR CARMELA SGRO OF 363 WASHINGTON AVENUE B.2203 L.8 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$125,871.11 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 03-05 SOLD TO CRUSADER LIEN SERVICES FOR 2002 TAXES IN THE AMOUNT OF \$2,007.00; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$125,871.11 FOR THE REDEMPTION OF SAID TAX TITLE LIEN; AND

BE IT FURTHER RESOLVED, THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO CRUSADER LIEN SERVICES, 179 WASHINGTON LANE, JENKINTOWN, PA 19046.

#### RESOLUTION 2010-50

WHEREAS, EILEEN AND GILBERT COHEN OF 200 WINSTON DRIVE APT 520 B.3601 L.5 C0520 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$8,509.72 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 09-15 SOLD TO U.S BANK-CUST FOR CCTS CAPITAL FOR 2008 TAXES IN THE AMOUNT OF \$6,668.00; AND

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK THAT THE CHIEF FINANCIAL OFFICER BE AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN A CHECK IN THE AMOUNT OF \$8,509.72 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND \$1,000.00 FOR PREMIUM PAID; AND

BE IT FURTHER RESOLVED, THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO U.S BANK-CUST FOR CCTS CAPITAL, 2 LIBERTY PLACE, PHILADELPHIA, PA. 19102.

**RESOLUTION 2010-51**

**BE IT RESOLVED**, that the Mayor and Council of the Borough of Cliffside Park does hereby approve the Cliffside Park Anderson Avenue Sidewalk Sale which will take place on the following dates:

**1. SPRING EVENT**

Friday, May 7, 2010  
Saturday, May 8, 2010

**2. SUMMER EVENT**

Thursday, July 22, 2010  
Friday, July 23, 2010  
Saturday, July 24, 2010

**3. AUTUMN EVENT**

Friday, September 24, 2010  
Saturday, September 25, 2010

**RESOLUTION 2010-52**

**WHEREAS**, pursuant to Ordinance, the Borough Clerk annually issues licenses to towing companies; and

**WHEREAS**, no unauthorized towing companies are permitted to work in the Borough of Cliffside Park; and

**WHEREAS**, the following towing companies have met all municipal requirements and have been vetted by the Cliffside Park Police Department:

1. ABC Towing
2. Ace/Tooley's Towing
3. Jeff's Towing
4. Manhattan Towing
5. TCB Towing
6. Tumino's Towing
7. Sano's Towing
8. View Towing

**NOW, THEREFORE, BE IT RESOLVED**, that the aforementioned companies have met all Municipal requirements and have been approved by the Police Department to tow vehicles within the geographical confines of the municipality.

**BE IT FURTHER RESOLVED**, that a certified copy of said resolution be sent to all companies listed herein.

**RESOLUTION 2010-53**

**WHEREAS**, the Planning Board and/or the Board of Adjustment of the Borough of Cliffside Park has approved this real property development project in the Borough; and

**WHEREAS**, as condition to those approvals the Borough has required the developing entity to enter into Developer's Agreement with the Borough subject to compliance with all State, County and Municipal Statutes, Regulations, Ordinance, etc; and

MARCH 2, 2010

**NOW THEREFORE, BE IT RESOLVED**, that the Council directs Mayor Gerald A. Calabrese to execute the following Developer's Agreement subject to certification of completion by the Municipal Engineer, Counsel and Construction Code Officer;

1. 448 Palisade Avenue Associates, LLC (448 Palisade Avenue, Cliffside Park, NJ)

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be forwarded to John Candelmo, Construction Code Official.

#### **RESOLUTION 2010-54**

**WHEREAS**, Arcari & Iovino Architects has been retained for architectural services regarding the restoration and expansion of the Cliffside Park Free Public Library in the Borough of Cliffside Park; and

**WHEREAS**, the Borough Attorney recommends that Mayor Gerald A. Calabrese execute the contract with Arcari & Iovino Architects since the Borough of Cliffside Park is the property owner and will benefit of any restoration and/or improvements to the property; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council does hereby authorize Mayor Gerald A. Calabrese to sign and execute the contract noted herein; and

**BE IT FURTHER RESOLVED**, that a certified copy of said resolution be tendered to the Cliffside Park Free Public Library Director and Arcari & Iovino Architects.

#### **RESOLUTION 2010-55**

**WHEREAS**, Oakdene Estates, LLC has petitioned the Borough of Cliffside Park for authorization to connect into the municipality's sewer line located in the Borough of Edgewater; and

**WHEREAS**, the Borough Engineer, Boswell McClave, has reviewed the proposal and have opined that there will be a zero impact to the municipal line as a result of the Oakdene Estates, LLC connecting into the municipal sewer line located in the Borough of Edgewater; and

**WHEREAS**, the Borough Engineer calculated sewerage flow and administrative costs with an annual escalating fee and same provision has been stipulated between the parties; and

**WHEREAS**, all professional fees in regard to this easement have been satisfied by Oakdene Estates, LLC; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Council does hereby authorize Mayor Gerald A. Calabrese to execute the sewer easement between Oakdene Estates, LLC and the Borough of Cliffside Park.

#### **OFF CONSENT AGENDA:**

On a motion by Councilwoman Spoto, seconded by Councilman Bongard, Resolution 2010-56 was offered for adoption:

#### **ROLL CALL:**

AYES: Spoto, Fontana, Bongard, Martinotti. ABSTAIN: T. Calabrese.  
ABSENT: Corcoran.

#### **RESOLUTION 2010-56**

**WHEREAS**, A HOUSING AUTHORITY COMMISSIONER FOR THE BOROUGH OF CLIFFSIDE PARK SERVES A FIVE (5) YEAR TERM; AND

MARCH 2, 2010

WHEREAS, A VACANCY EXISTS FOR THE POSITION OF HOUSING AUTHORITY COMMISSIONER FOR THE BOROUGH OF CLIFFSIDE PARK DUE TO THE RESIGNATION OF ANTHONY MANNIX; AND

NOW, THEREFORE, BE IT RESOLVED, THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK APPOINT JANET MERRILL FOR THE UNEXPIRED TERM EXPIRING JUNE 20, 2012; AND

BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION BE FORWARDED TO THE FOLLOWING INDIVIDUALS:

1. JOSEPH CAPANO, EXECUTIVE DIRECTOR
2. JANET MERRILL

#### ORDINANCES: INTRODUCTION

Councilwoman Martinotti INTRODUCED AN ORDINANCE ENTITLED:

#### ORDINANCE 2010-02

Councilwoman Martinotti moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilwoman Martinotti moved the ordinance be adopted on first reading and published in The Record on March 6, 2010. Motion was seconded by Councilman Bongard.

The ordinance will be available to the public for inspection at the Clerk's Office and posted on the bulletin board.

The public hearing is to be held on April 13, 2010 in the Mayor and Council Chambers at 7:00 pm, at which time all persons wishing to be heard on the proposed ordinance will be heard.

The ordinance was approved at the first reading upon the call of the roll.

#### ROLL CALL:

AYES: Spoto, Fontana, Bongard, T. Calabrese, Martinotti. ABSENT: Corcoran.

#### ORDINANCE 2010-02

#### ORDINANCE AMENDING ORDINANCE 16-89 AND 22-89 ENTITLED CHAPTER 9 'PARKING METERS' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

WHEREAS, Chapter 9 of the Revised Ordinances of the Borough of Cliffside Park provides rules and regulations concerning the parking of vehicles at meters or in parking zones established by the Borough; and

WHEREAS, Chapter 9-2.2 provides regulations for municipal parking lots;

NOW, THEREFORE, BE IT ORDAINED, that the following parking regulations shall apply to all municipal parking lots:

#### PARKING REGULATIONS

1. Metered parking will be in effect between the hours of 7:00 a.m. and 9:00 p.m., seven days per week;
2. Sticker parking will be in effect between the hours of 9:00 p.m. and 7:00 a.m., seven days per week;
3. The parking fee for meters is twenty-five cents per hour with a two hour limit;

MARCH 2, 2010

4. Parking stalls will be numbered corresponding to the number of vehicles having authorized permits;
5. Permits may be obtained at the Office of the Borough Clerk and are available for a period of three months for a fee of \$90.00;
6. Permits will be issued on a first come, first served basis and a waiting list will be maintained for persons unable to obtain permits;
7. Overdue meters shall subject the user to a fine of not less than twenty-five dollars and, in addition, the owner of any vehicle parked in a parking space in violation of this ordinance may be subject to having the vehicle towed away, such tow shall be the responsibility of the owner of the vehicle.

**BE IT FURTHER ORDAINED**, the Borough of Cliffside Park reserves the right to add, reduce, or eliminate any fines and/or penalties arising out of the implementation of this ordinance by resolution.

**COMMITTEE REPORTS:** ALL COMMITTEE REPORTS ON FILE WITH THE CLERK.

**PUBLIC PORTION:**

On a motion by Councilwoman Fontana, seconded by Councilman T. Calabrese, the meeting was opened to the public. Carried.

**PUBLIC PARTICIPATION:** James Carey of 300 Gorge Road, Cliffside Park, inquired about the play ground equipment at Zalewski Park, specifically the slide which was in disrepair. Borough Attorney Chris Diktas advised Mr. Carey that a replacement had already been ordered at no cost to taxpayers through a donation of approximately \$6,400. He stated that the installation of this playground equipment will occur once the weather permits. Mr. Diktas also informed the resident that Zalewski Park will be entirely renovated after the completion of the development project on Adolphus Avenue.

On a motion by Councilman Bongard, seconded by Councilman T. Calabrese, the meeting was closed to the public. Carried.


**ADJOURN:**

On a motion by Councilman Fontana, seconded by Councilwoman Martinotti, the meeting was adjourned at 6:16 pm.

**ATTEST:**

  
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SERCAN ZOKLU, RMC  
BOROUGH CLERK

**APPROVED:**

  
\_\_\_\_\_  
GERALD A. CALABRESE  
MAYOR