

**BOROUGH OF CLIFFSIDE PARK
BERGEN COUNTY, NEW JERSEY
REGULAR MEETING OF MAYOR AND COUNCIL
APRIL 13, 2015**

CALL TO ORDER AT 7:00 P.M.

SALUTE TO THE FLAG

ROLL CALL

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

1. NOTICE PUBLISHED JANUARY 10, 2015 WITH THE RECORD, AND JANUARY 14, 2015 WITH THE JERSEY JOURNAL DISPATCH, BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

MINUTES:

| | |
|-------------------------|---------------|
| CAUCUS MEETING MINUTES | MARCH 3, 2015 |
| REGULAR MEETING MINUTES | MARCH 3, 2015 |

PRESENTATIONS: CLIFFSIDE PARK RECREATION COMPETITIVE CHEERLEADING TEAM - 1ST PLACE NATIONALS CHAMPIONS AND OVERALL GRAND NATIONAL CHAMPIONS

CONSENT AGENDA:

PAYMENT OF CLAIMS

RESOLUTION 2015-73 RESCIND HANDICAP PARKING SPACE 357 PALISADE AVENUE

RESOLUTION 2015-74 HANDICAP PARKING SPACE 10 MARION AVENUE

RESOLUTION 2015-75 HANDICAP PARKING SPACE 172 PALISADE AVENUE, APT 1

RESOLUTION 2015-76 HANDICAP PARKING SPACE 245 LAWTON AVENUE, APT. D7

RESOLUTION 2015-77 REFUND OF TAX OVERPAYMENTS

RESOLUTION 2015-78 REIMBURSEMENT OF \$94,801.28 FROM COMMUNITY DEVELOPMENT FOR LAWTON AVENUE SEWER

RESOLUTION 2015-79 APPROVE CASINO NIGHT RAFFLE LICENSE FOR JEWISH COMMUNITY CENTER OF FORT LEE

RESOLUTION 2015-80 LAWTON AVENUE SANITARY SEWER AND STORM DRAINAGE IMPROVEMENTS - CHANGE ORDER NO. 1

RESOLUTION 2015-81 APPOINTMENT OF LAWRENCE BONGARD AND ANNE FREY TO THE COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

RESOLUTION 2015-82 REDEMPTION OF TAX TITLE LIEN 349 PALISADE AVENUE

RESOLUTION 2015-83 INTERLOCAL AGREEMENT WITH THE BOROUGH OF PALISADES PARK REGARDING SWIM CLUB FOR RESIDENTS

RESOLUTION 2015-84 GENERAL LICENSES FOR 2015

RESOLUTION 2015-85 AUTHORIZE BOROUGH TO BID FOR SUMMER FOOD SERVICE PROGRAM

- RESOLUTION 2015-86 RESOLUTION AUTHORIZING BOROUGH CLERK TO PUBLISH REQUEST FOR PROPOSALS FOR THE PROVISION OF DEBT COLLECTION SERVICES FOR THE CLIFFSIDE PARK MUNICIPAL COURT
- RESOLUTION 2015-87 REFUND OF TOTALLY DISABLED VETERAN TAXES FOR THOMAS TRIPODI RESIDING AT 449 LINCOLN AVENUE
- RESOLUTION 2015-88 APPOINTMENT OF PART TIME CLERK IN THE BUILDING DEPARTMENT
- RESOLUTION 2015-89 APPOINTMENT OF FULL TIME MAINTENANCE EMPLOYEE IN THE PARKS AND RECREATION DEPARTMENT
- RESOLUTION 2015-90 STIPENDS FOR SPORTS SUPERVISORS
- RESOLUTION 2015-91 RESOLUTION TO AUCTION POLICE VEHICLES, AMBULANCE, DPW TRUCKS, WATER TANK AND GENERATOR
- RESOLUTION 2015-92 BERGEN COUNTY COMMUNITY DEVELOPMENT UNPROGRAMMED FUNDS IN THE AMOUNT OF \$144,000 FOR ZALEWSKI PARK IMPROVEMENTS
- RESOLUTION 2015-93 RESOLUTION IN SUPPORT OF NATIONAL LEAGUE OF CITIES SERVICE LINE WARRANTY PROGRAM
- RESOLUTION 2015-94 FENCE APPLICATION 380 NELSON AVENUE
- RESOLUTION 2015-95 FENCE APPLICATION 382 NELSON AVENUE
- RESOLUTION 2015-96 FENCE APPLICATION 426 GREENMOUNT AVENUE

OFF CONSENT AGENDA:

- RESOLUTION 2015-97 INTRODUCTION OF 2015 BUDGET

ORDINANCES: INTRODUCTION

- ORDINANCE 2015-02 AN ORDINANCE AMENDING CHAPTER 18 'ZONING' OF THE GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK
- ORDINANCE 2015-03 BOROUGH OF CLIFFSIDE PARK CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)
- ORDINANCE 2015-04 ORDINANCE AMENDING ORDINANCE ENTITLED CHAPTER 8 'TRAFFIC' 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)

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On a motion by Councilman Spoto, seconded by Councilman Bongard, Resolutions 2015-73 to 2015-96 were offered for adoption:

ROLL CALL:

AYES: Spoto, Fotana, Bongard, T. Calabrese, Martinotti, Corcoran.

RESOLUTION 2015-73

BE IT RESOLVED that upon the recommendation of P.O. T. Tarabokija, the following resolution designating a handicapped parking space be rescinded:

Adopted on: 7-7-2007

RESOLUTION #2007-133
357 Palisade Avenue
Cliffside Park, NJ 07010

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that the Department of Public Works be instructed to remove the handicapped parking sign at the above location.

RESOLUTION 2015-74

WHEREAS, the Cliffside Park Police Department has received a request from **Giovanni Vaccaro** of **10 Marion Avenue** for a handicapped parking space in front of his residence. **Giovanni Vaccaro** has been issued Permanent Handicap Place Card **P1395930** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space.

| | | |
|-----------------------|--------------|--|
| Name of Street | Side: | Location: |
| Marion Avenue | South | Beginning at a point approximately 236 feet west of the southwest curb line of Palisade Avenue and Marion Avenue and continuing to a point 14 feet (compact car) westerly thereof. |

RESOLUTION 2015-75

WHEREAS, the Cliffside Park Police Department has received a request from **Charles Maurice** of **172 Palisade Avenue, Apt. 1** for a handicapped parking space in front of his residence. **Charles Maurice** has been issued Permanent Handicap Place Card **P1367424** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space.

| | | |
|-----------------------|--------------|------------------|
| Name of Street | Side: | Location: |
|-----------------------|--------------|------------------|

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| | | |
|-----------------|------|--|
| Palisade Avenue | East | Beginning at a point approximately 214 feet north of the northeast curb line of Palisade Avenue and Prospect Avenue and continuing to a point 22 feet northerly thereof. |
|-----------------|------|--|

RESOLUTION 2015-76

WHEREAS, the Cliffside Park Police Department has received a request from **Adriana Bruzzese** of **245 Lawton Avenue, Apt. D7** for a handicapped parking space in front of her residence. **Adriana Bruzzese** has been issued Permanent Handicap Place Card **P1293571** by the New Jersey Motor Vehicle Commission; and

WHEREAS, the parking request appears to show legitimate cause for consideration by the Mayor and Council, N.J.S.A. 39:4-197.5 states that any Municipality may by Ordinance or Resolution establish restricted parking spaces in front of residences, schools, hospitals, and other buildings for use by persons who have been issued Special Identification by the New Jersey Motor Vehicle Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the following location be designated as a restricted parking space.

| | | |
|-----------------------|--------------|--|
| Name of Street | Side: | Location: |
| Lawton Avenue | North | Beginning at a point approximately 13 feet east of the northwest curb line of Lawton Avenue and Railroad Avenue and continuing to a point 22 feet northerly thereof. |

RESOLUTION 2015-77

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT CERTAIN TAXPAYERS HAVE MADE DUPLICATE 2014 TAX PAYMENTS ON PROPERTY, WHICH IS ON FILE IN THE TAX COLLECTORS OFFICE, RESULTED IN OVERPAYMENTS; AND

THEREFORE, BE IT FURTHER RESOLVED THAT THE PROPER FINANCIAL OFFICER BE, AND HE IS HEREBY AUTHORIZED TO ISSUE AND SIGN WARRANTS TO THE RESPECTIVE TAXPAYERS; AND

BE IT FURTHER RESOLVED THAT THE ABOVE CHECKS BE DRAWN ON THE CURRENT ACCOUNT TD BANK.

RESOLUTION 2015-78

BE IT RESOLVED THAT THE FOLLOWING CLAIM BE PAID, THE SAME HAVING BEEN AUDITED AND APPROVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, FOR SUBMISSION TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM.

BERGEN COUNTY VOUCHER #243130
MUNICIPAL APPROVAL
VENDOR: TRINO ASSOCIATES
PURPOSE: LAWTON AVE SEWER
AMOUNT: \$94,801.28

BE IT FURTHER RESOLVED THAT THE CHIEF FINANCIAL OFFICER, FRANK BERARDO, BE AUTHORIZED TO SIGN THE BERGEN COUNTY VOUCHER FOR PAYMENT OF SAID CLAIM.

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RESOLUTION 2015-79

WHEREAS, an application has been submitted by the Jewish Community Center of Fort Lee as follows:

Conduct Casino Night Raffle License as permitted under State Statute on May 17, 2015

WHEREAS, all requirements have been met, therefore, said application is in order for approval by the Mayor and Council of the Borough of Cliffside Park.

RESOLUTION 2015-80

Change Order No. 1, Lawton Avenue Sanitary Sewer and Storm Drainage Improvements, Phase 3

WHEREAS, submission has been made to the Mayor and Council of the Borough of Cliffside Park for approval of Change Order No. 1, dated March 31, 2015 in the amount of \$9,360.00 increase for the Improvements to Lawton Avenue Sanitary Sewer and Storm Drainage Improvements, Phase 3 between the Borough of Cliffside Park and Trino Associates LLC, 354 Verona Way, Paramus, NJ, 07652; and

WHEREAS, funding for this project was provided for in the 2014 Municipal Budget and a Community Development Grant; and

WHEREAS, Richard J. Fox, Engineer of the firm Boswell McClave Engineering, has recommended approval of said Change Order No. 1, noting the differentials are due to estimated quantities and to as-built quantities for this job accounting; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park that Change Order No. 1, dated March 31, 2015 in the amount of \$9,360.00 increase be approved and adjusts the contract amount to \$434,255.00; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Richard J. Fox of Boswell McClave Engineering, to Trino Associates LLC, 354 Verona Way, Paramus, NJ, 07652 and to the Borough Treasurer each with an executed copy of said Change Order No. 1.

RESOLUTION 2015-81

WHEREAS, the Borough of Cliffside Park has entered into a three year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40a:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that one Municipal Representative be appointed by the governing body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2015 through June 30, 2016; and

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Cliffside Park hereby appoints Lawrence Bongard, 550 Dewey Avenue and Anne Frey, 210 Edgewater Road as its representatives to participate on the Community Development Regional Committee.

RESOLUTION 2015-82

WHEREAS, PAUL H SONG, 349 PALISADE AVE. B.804 L.2 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$23,046.43 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 14-04 SOLD TO US BANK CUST FOR BVOO1 TRUST AND CREDIT FOR 2013 TAXES IN THE AMOUNT OF \$8,827.94; AND

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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 \$23,046.43 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND A CHECK IN THE AMOUNT OF \$24,600 FOR PREMIUM PAID ON SAID PROPERTY; AND

BE IT FURTHER RESOLVED THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO US BANK CUST FOR BV001 TRUST AND CREDIT 50 SOUTH 16TH STREET, SUITE 2050, PHILADELPHIA, PA 19102.

RESOLUTION 2015-83

WHEREAS, the Borough of Palisades Park currently maintains a swimming pool complex referred to as the Palisades Park Swim Club located on Roosevelt Place in the Borough of Palisades Park; and

WHEREAS, the Borough of Cliffside Park wishes to enter into an Interlocal Services Agreement with the Borough of Palisades Park to provide an economical, recreational use of the Palisades Park Swim Pool and services; and

WHEREAS, an Interlocal Services Agreement may be entered into without competitive bidding pursuant to N.J.S.A 40:8A-1 and N.J.S.A 40A:11-5(21); and

WHEREAS, the Interlocal Services Agreement attached hereto and incorporated herein by reference provides for the use and enjoyment of the Palisades Park Swim Club by the Borough of Cliffside Park; and

WHEREAS, the Borough Administrator and the Borough Attorney have reviewed the Interlocal Services Agreement attached hereto and incorporated herein by reference between the Borough of Palisades Park and the Borough of Cliffside Park and hereby approve of same.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park, County of Bergen and State of New Jersey hereby approve the Interlocal Services Agreement with the Borough of Palisades Park attached hereto and incorporated herein by reference for the use and enjoyment of the Palisades Park Swim Club; and

BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized and directed to execute the Interlocal Services Agreement between the Borough of Cliffside Park and Borough of Palisades Park; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to forward a certified copy of this Resolution and signed Interlocal Services Agreement to the Borough of Palisades Park.

RESOLUTION 2015-84

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

WHEREAS, no unauthorized companies are permitted to work in the Borough of Cliffside Park without such license; and

WHEREAS, the following companies have met all municipal requirements:

Amusement Games

Clubhouse Café
Laundry Warehouse

Itinerant Eating & Drinking Establishment

Harry Guttilla, Jr. d/b/a Hot Dog Louie

Limousines

The Americus Group LLC

Parking Lots

T D Bank, 732 Palisade Avenue

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Shop Rite Liquors

WHEREAS, the following companies have not met all municipal requirements and the Clerk is waiting for further documentation:

Limousines
Bradley Box d/b/a B's Express

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council to operate within the geographical confines of the municipality.

RESOLUTION 2015-85

WHEREAS, the Mayor and Council desire to authorize bidding for the summer food service program; and

WHEREAS, the funds will be received through grant monies from the State of New Jersey; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Cliffside Park authorize Joseph Rutch, the Borough Administrator, to solicit bids.

RESOLUTION 2015-86

BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the Borough Clerk is hereby authorized to advertise for Request For Qualifications pursuant to N.J.S.A. 19:44a-20.4 et. seq. for the provision of debt collection services for the Cliffside Park Municipal Court.

RESOLUTION 2015-87

WHEREAS, the Tax Assessor has been notified by the Department of Veteran Affairs that Thomas V. Tripodi residing at 449 Lincoln Avenue, also known as Block 2002, Lot 4, has been declared 100% totally disabled and has been approved for 100% tax exemption on his dwelling in accordance with N.J.S.A. 54:4-3.30 et. seq.; L.1948, c259 as amended; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that the Tax Collector is hereby authorized to cancel 100% of said taxes beginning August, 2014 in the amount of \$7,396.26 (3rd & 4th quarters 2014 and 1st quarter 2015).

RESOLUTION 2015-88

BE IT RESOLVED that the Governing Body hereby certifies the hiring of Olivia Borges for the position of part time clerk assigned to the Building Department at an hourly rate of \$10.00; and

BE IT FURTHER RESOLVED that said appointment is effective retroactive to April 14, 2014.

RESOLUTION 2015-89

WHEREAS, the Borough's Parks and Recreation Department is in need of a full time maintenance staff; and

WHEREAS, Alex Morin is currently employed part time in said department; and

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NOW, THEREFORE, BE IT RESOLVED that the Governing Body hereby appoints Alex Morin for the position of full time maintenance staff assigned to the Parks and Recreation Department at an annual salary of \$25,000 with health benefits; and

BE IT FURTHER RESOLVED that said appointment is effective immediately.

RESOLUTION 2015-90

WHEREAS, the Borough's recreation facilities and programs have expanded as a result of significant participation by children of all ages; and

WHEREAS, the Council is of the opinion that a supervisory position should be created specifically for the monitoring of all current and future recreational youth programs; and

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby authorize an annual stipend in the amount of \$2,000 for each sport that is overseen by said supervisory position; and

BE IT FURTHER RESOLVED that a certified to be true copy of this resolution be tendered to Borough Administrator Joseph Rutch, Chief Financial Officer Frank Berardo and Recreation Coordinator Rose Messina.

RESOLUTION 2015-91

WHEREAS, the Borough of Cliffside Park will bring together surplus vehicles and other equipment for an online municipal auction to be held beginning at 9:00 AM on Wednesday, May 13, 2015 and ending at 6:00 PM on Wednesday, May 20, 2015; and

WHEREAS, Stephan J. Miranti, US Gov Bid / Auction Liquidation Services, P.O. Box 1216, Eatontown, NJ will conduct the auction on their website located at www.usgovbid.com for a commission rate of 5.5% of the gross selling price; and

WHEREAS, Local Public Contracts Law N.J.S.A. 40A:11-36 requires the authorization of the sale of said property via adoption of a resolution; and

WHEREAS, the estimated fair market value of the property to be sold does exceed 15% of the bid threshold; and

WHEREAS, the below list of vehicles for sale will be published in **The Record** not less than 7 nor more than 14 days after the latest publication of the notice thereof; and

1. 1998 Cushman Scooter, Mileage: 20,595, Engine Hours: 4,866, VIN #1CHMH6607WL000412
2. 1987 International Truck, Mileage: 1,271, Engine Hours: 3,970, VIN #1HTLDUXP6HH510736
 - i. Comes with Miscellaneous items: PLOW and a Monroe Salt Spreader
3. 1998 GMC Pick-up Truck, Mileage: 103,248, Engine Hours: 3,670, VIN #1GDHK34F5WE543638
 - i. Comes with Miscellaneous items: PLOW and a custom tool box for the bed
4. Monroe Salt Spreader V-Box Calcium with Hydraulic Spreader for a ten foot body
5. 2007 Ford F350 4x4 Medtec pd-146 Type 2 Ambulance, Mileage: 111,923, Engine Hours: 9,569, VIN #1FDWF37PX7EB06820
6. 2010 Ford Crown Victoria, Mileage: 85,100, VIN #2FABP7BV2AX117948
7. 2011 Ford Crown Victoria, Mileage: 81,000, VIN #2FABP7BV7BX121088
8. Fire Fighting Tank 800 Gallons inside of a 16 foot skid container.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park that the Borough be authorized to dispose the following vehicles and equipment through the process of an online auction to be held beginning at 9:00 AM on Wednesday, May 13, 2015 and ending at 6:00 PM on Wednesday, May 20, 2015 on the website located at www.usgovbid.com; and

BE IT FURTHER RESOLVED that these vehicles and equipment are being sold in as is condition and without warranty of any kind; and

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BE IT FURTHER RESOLVED that the Administrator and/or Borough Clerk is authorized to execute the contract of Auction Liquidation Services for the Borough of Cliffside Park.

RESOLUTION 2015-92

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development (un-programmed funds) grant of \$144,000.00 has been proposed by the Borough of Cliffside Park for Zalewski Park Improvements Project in the municipality of Cliffside Park; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Cliffside Park; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Cliffside Park hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a certified to be true copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

RESOLUTION 2015-93

A Resolution Authorizing the Mayor and Borough Clerk to Execute and Attest, Respectively, That Certain Marketing Services Agreement with Utility Service Partners Private Label, Inc. ("USP") D/B/A Service Line Warranties of America ("SLWA") to License the Use of the Borough of Cliffside Park, New Jersey ("Borough") Trademark in Conjunction with Advertisement to the Borough's Residents of Warranty Plans For Repair of Water and Sewer Lines on Residential Property; Providing For the Adoption of Representations; Providing An Effective Date

WHEREAS, the residents of the Borough of Cliffside Park are responsible for the maintenance and repair of water and sewer lines that are on their properties and not within the Borough's right-of way; and

WHEREAS, water and sewer lines, on private property, can vary widely in age and condition resulting in substantial cost to residents when there is a malfunction on residential property; and

WHEREAS, the National League of Cities has introduced USP, d/b/a SLWA, as a resource for warranties of residential property owners whose water and sewer lines require repair; and

WHEREAS, the Borough Administrator recommends that the Borough enter into an agreement with the National League of Cities Service Line Warranty Program, which offers homeowners the opportunity for repairing broken or leaking water or sewer lines for a low monthly fee, for a period of one (1) year, renewing on an annual basis thereafter.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park, New Jersey as follows:

Section 1. **ADOPTION OF REPRESENTATIONS:** The forgoing *Whereas* paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. **AUTHORITY:** The Mayor and Borough Clerk are hereby authorized and directed to execute and attest, respectively, that certain Marketing Services Agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America to license the use of the Borough of

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Cliffside Park's trademark in conjunction with advertisement to the Borough's residents of warranty plans for repair of water and sewer lines on residential property.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage by the Cliffside Park Mayor and Council at a meeting held on April 13, 2015.

RESOLUTION 2015-94

WHEREAS, CHAPTER 11-5 of the General ordinances of the Borough of Cliffside Park, prohibits the construction of any fence in excess of four (4) feet in height without the authorization of the Mayor and Council; and

WHEREAS, Luisa Parnes & Cameron Thomson of 380 Nelson Avenue, Cliffside Park, NJ has requested permission from the Mayor and Council of the Borough of Cliffside Park to erect a fence in excess of four (4) feet in height, on their property for privacy and safety; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that permission is hereby granted for the construction of a six foot fence the finished side facing the adjacent properties and the building department is authorized to issue a permit after all documents and fees are submitted and approved by the Construction Official.

RESOLUTION 2015-95

WHEREAS, CHAPTER 11-5 of the General ordinances of the Borough of Cliffside Park, prohibits the construction of any fence in excess of four (4) feet in height without the authorization of the Mayor and Council; and

WHEREAS, Matthew Parlier & Roseann Catania of 382 Nelson Avenue, Cliffside Park, NJ has requested permission from the Mayor and Council of the Borough of Cliffside Park to erect a fence in excess of four (4) feet in height, on their property for privacy and safety; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that permission is hereby granted for the construction of a six foot fence the finished side facing the adjacent properties and the building department is authorized to issue a permit after all documents and fees are submitted and approved by the Construction Official.

RESOLUTION 2015-96

WHEREAS, CHAPTER 11-5 of the General ordinances of the Borough of Cliffside Park, prohibits the construction of any fence in excess of four (4) feet in height without the authorization of the Mayor and Council; and

WHEREAS, Andrea Walsh and Matt Onorato, 426 Greenmount Avenue, Cliffside Park, NJ has requested permission from the Mayor and Council of the Borough of Cliffside Park to erect a fence in excess of four (4) feet in height, on their property for privacy and safety; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Cliffside Park, that permission is hereby granted for the construction of a six foot fence the finished side facing the adjacent properties and the building department is authorized to issue a permit after all documents and fees are submitted and approved by the Construction Official.

OFF CONSENT AGENDA:

On a motion by Councilwoman Spoto seconded by Councilman Bongard, Resolution 2015-97 was offered for adoption:

ROLL CALL:

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

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RESOLUTION 2015-97

INTRODUCTION OF 2015 BUDGET

BE IT RESOLVED that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Cliffside Park, Bergen County, New Jersey for the year 2015.

BE IT FURTHER RESOLVED that the said budget be published in The Jersey Journal in the issue of April 14, 2015, and that a hearing on the Budget will be held at the Borough Hall on June 9, 2015 at 7:00 p.m. or as soon thereafter as the matter may be reached.

ORDINANCES: INTRODUCTION

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2015-02

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published in The Jersey Journal on April 20, 2015. Motion was seconded by Councilwoman Spoto.

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

The public hearing is to be held on May 5, 2015 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, Corcoran.

ORDINANCE 2015-02

**AN ORDINANCE AMENDING CHAPTER 18 'ZONING'
OF THE GENERAL ORDINANCES OF
THE BOROUGH OF CLIFFSIDE PARK**

WHEREAS, the Council and Building Department have reviewed numerous requests from constituents requesting the following amendment to the Zoning Ordinance; and

WHEREAS, both the Planning Board and Zoning Board concurred with Zoning Amendments:

18.3 RESIDENTIAL ZONES ENUMERATED.

Amendments to 18-3.6 R-2 One and Two Family Residential Zone

Section 18-3.6(11) - Existing language deleted in its entirety

Replace language: Basement lower levels on new construction or conversation of duplexes shall have only one toilet/stall shower only facility.

Amendments to 18-3.9 Multi-Family Townhouse Zoning R-3

Section 18.3.9(9) - Existing language deleted in its entirety

Replace language: Basement lower levels on new construction or conversation of duplexes shall have only one toilet/stall shower only facility.

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SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2015-03

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published in The Jersey Journal on April 20, 2015. Motion was seconded by Councilman T. Calabrese.

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

The public hearing is to be held on May 5, 2015 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, Corcoran.

ORDINANCE 2015-03

**BOROUGH OF CLIFFSIDE PARK
CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Borough Council of the Borough of Cliffside Park in the County of Bergen finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Borough Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$445,663 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

APRIL 13, 2015

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Cliffside Park, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Cliffside Park shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$779,910 and that the CY 2015 municipal budget for the Borough of Cliffside Park be approved and adopted in accordance with this ordinance; and

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

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

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

Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:

ORDINANCE 2015-04

Councilman Corcoran moved the ordinance be given its first reading. So ordered.

The Municipal Clerk read the said ordinance by title. Councilman Corcoran moved the ordinance be adopted on first reading and published in The Jersey Journal on April 20, 2015. Motion was seconded by Councilman T. Calabrese.

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

The public hearing is to be held on May 5, 2015 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, Corcoran.

ORDINANCE 2015-04

ORDINANCE AMENDING ORDINANCE ENTITLED CHAPTER 8 'TRAFFIC' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

WHEREAS, as a result of a request, the Cliffside Park Police Department has reviewed the area of John Street and determined that the east side of John Street to be a "No Parking Zone" due to visibility exiting the driveway area. It was determined that parked vehicles are blocking resident's sight of distance when exiting the parking garage driveway;

WHEREAS, the Cliffside Park Police Department recommends to the Council the following amendments be implemented to Chapter 8 of the revised general ordinance of the Borough of Cliffside Park entitled 'Traffic'; and

WHEREAS, the Council has reviewed and does hereby accept that the recommendations presented by the Cliffside Park Police Department; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Cliffside Park that the revised General Ordinances of the Borough of Cliffside Park, specifically, Chapter 8 entitled 'Traffic' is amended as follows:

APRIL 13, 2015

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

**MINUTES OF THE REGULAR MEETING
APRIL 13, 2015**

CALL TO ORDER AT 7:00 P.M.

FLAG SALUTE

PRESENT AT ROLL CALL:

| | |
|--------------|------------------|
| Councilwoman | Donna Spoto |
| Councilman | Bernard Fontana |
| Councilman | Larry Bongard |
| Councilman | Thomas Calabrese |
| Councilwoman | Dana Martinotti |
| Councilman | Kenneth Corcoran |

MOMENT OF SILENCE: For Gerald A. Calabrese, Mayor.

SERCAN ZOKLU STATED:

THIS IS A REGULAR MEETING OF THE MAYOR AND COUNCIL, AND NOTICE WAS GIVEN AS FOLLOWS:

1. NOTICE PUBLISHED JANUARY 10, 2015 WITH THE RECORD, AND JANUARY 14, 2015 WITH THE JERSEY JOURNAL BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

PRESENTATIONS: A PRESENTATION WAS MADE TO THE CLIFFSIDE PARK RECREATION COMPETITIVE CHEERLEADING TEAM IN ACKNOWLEDGEMENT OF THEIR ACHIEVEMENTS AS FIRST PLACE CHAMPIONS AND OVERALL GRAND NATIONAL CHAMPIONS

MINUTES:

On a motion by Councilman T. Calabrese, seconded by Councilwoman Spoto, the minutes of the Caucus Meeting of March 3, 2015 were accepted.

ROLL CALL:

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

On a motion by Councilman T. Calabrese, seconded by Councilwoman Spoto, the minutes of the Regular Meeting of March 3, 2015 were accepted.

ROLL CALL:

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

CONSENT AGENDA:

On a motion by Councilwoman Spoto, seconded by Councilman Bongard, the claims were ordered paid.

ROLL CALL:

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

RESOLUTIONS:

APRIL 13, 2015

Section 8-3.3 –Parking Prohibited At all Times on Certain Streets, specifically Schedule I:

| Street | Side | Location |
|---------------|-------------|---|
| John Street | East | Beginning at a point of 0 feet west of the southeast curb line of Walker Street and John Street and continuing to a point of 70 feet southerly thereof. |

NON-REPEALER. All other Sections of the revised Borough ordinance not specifically amended by the provisions of this Ordinance shall remain in full force and effect.

SEVERABILITY. If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not effect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

REPEALER. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

EFFECTIVE DATE. This ordinance shall take effect immediately upon final passage and publication as required by law.

COMMITTEE REPORTS: ALL COMMITTEE REPORTS ON FILE IN THE CLERK'S OFFICE.

The Clerk stated that any member of the public wishing to be heard could now do so, by coming to the podium and stating their full name and address for the record.

PUBLIC PORTION:

On a motion by Councilwoman Spoto, seconded by Councilman Bongard, the meeting was opened to the public. Carried.

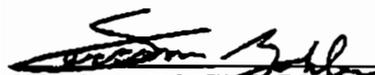
PUBLIC PARTICIPATION: None.

On a motion by Councilman Bongard, seconded by Councilman Corcoran the meeting was closed to the public.

ADJOURN:

On a motion by Councilman Bongard, seconded by Councilman Corcoran the meeting was adjourned at 7:35 p.m.

ATTEST:


SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:


THOMAS CALABRESE
MAYOR