

**BOROUGH OF CLIFFSIDE PARK  
BERGEN COUNTY, NEW JERSEY  
REGULAR MEETING OF MAYOR AND COUNCIL  
MAY 5, 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.

**OFF CONSENT:**

RESOLUTION 2015-98            APPOINTMENT OF MAYOR

**OATH OF OFFICE:**

OATH OF OFFICE TO BE ADMINISTERED BY THE HONORABLE FORT LEE MAYOR MARK SOKOLICH

**PRESENTATIONS:**

HONORABLE COUNTY CLERK JOHN HOGAN PRESENTATION OF CLIFFSIDE PARK HISTORICAL POSTER

CERTIFICATES OF COMMENDATION TO FIREFIGHTERS AND POLICE OFFICERS

PAINTING OF P.O. STEPHEN PETRUZZELLO BY PIERINA PANEBIANCO

OFFICIAL SEND OFF TO CLIFFSIDE PARK PARTICIPANTS IN THE NATIONAL UNITY BICYCLE TOUR

DONATION BY COMMANDER CARL RAINCOURT AND PRESIDENT AMERICAN LEGION POST 126

**MINUTES:**

CAUCUS MEETING MINUTES            APRIL 13, 2015

REGULAR MEETING MINUTES           APRIL 13, 2015

**CONSENT AGENDA:**

PAYMENT OF CLAIMS

RESOLUTION 2015-99            FENCE APPLICATION 387 NELSON AVENUE

RESOLUTION 2015-100           FENCE APPLICATION 65 OAKDENE AVENUE

RESOLUTION 2015-101           RESOLUTION FOR MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

RESOLUTION 2015-102           HANDICAP PARKING SPACE FOR - 250 CLIFF STREET

RESOLUTION 2015-103           HANDICAP PARKING SPACE FOR - 550 OLYMPIA AVENUE

RESOLUTION 2015-104           RESCIND HANDICAP PARKING SPACE – 250 CLIFF STREET

RESOLUTION 2015-105 FENCE APPLICATION 473 COLUMBIA AVENUE  
RESOLUTION 2015-106 FENCE APPLICATION 504 OREGON AVENUE  
RESOLUTION 2015-107 REFUND OF TAX OVERPAYMENTS  
RESOLUTION 2015-108 REIMBURSEMENT FROM COMMUNITY DEVELOPMENT FOR  
LAWTON AVENUE SEWER PHASE 3 \$141,480.64  
RESOLUTION 2015-109 RECREATION DEPARTMENT PROGRAM FEES  
RESOLUTION 2015-110 CLIFF LANE PALISADE AVENUE LLC TAX APPEAL  
RESOLUTION 2015-111 CHANGE ORDER NO. 2, LAWTON AVENUE SANITARY SEWER  
AND STORM DRAINAGE IMPROVEMENTS, PHASE 3

**ORDINANCES: PUBLIC HEARING AND ADOPTION**

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:**

**YOU ARE WELCOME TO JOIN US FOLLOWING THIS MEETING AT VILLA  
AMALFI.**

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

MAY 5, 2015

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

**MINUTES OF THE REGULAR MEETING  
MAY 5, 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

**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.

**SERCAN ZOKLU FURTHER STATED:**

Pursuant to statute, we have received three (3) nominations from the Democratic Committee of Cliffside Park to fill the unexpired term of the late Honorable Gerald A. Calabrese, Mayor.

The names of the candidates are as follows: Raymond Martinotti, Simone Carafa and Thomas Calabrese.

The Council must make an appointment among the nominees. On the Off Consent agenda, we have Resolution 2015-98, which is the appointment of the Mayor.

**OFF CONSENT AGENDA:**

**On a motion by Councilman Corcoran, seconded by Councilman Bongard, Resolution 2015-98 was offered for adoption:**

**ROLL CALL:**

**AYES:** Spoto, Fontana, Bongard, Martinotti, Corcoran.

**ABSTAIN:** T. Calabrese.

**RESOLUTION 2015-98**

**APPOINTMENT OF MAYOR**

**WHEREAS**, on April 13, 2015 the office of Mayor of the Borough of Cliffside Park became vacant upon the passing of Gerald A. Calabrese, who served the citizens of Cliffside Park with honor and distinction for over 50 years in the office of Mayor; and

MAY 5, 2015

**WHEREAS**, in accordance with the procedures defined by the Municipal Vacancy Law, N.J.S.A. 40A:16-1, et seq., on April 24, 2015 the Democratic Committee of Cliffside Park presented for consideration by the Cliffside Park governing body the names of three nominees for the selection of a successor to the office of Mayor, to serve the unexpired term of Gerald A. Calabrese; and

**WHEREAS**, the nominees of the Democratic Committee of Cliffside Park are: Thomas Calabrese, Raymond Martinotti and Simone Carafa; and

**WHEREAS**, the governing body of the Borough of Cliffside Park, after due deliberation and consideration, has selected a successor to the office of Mayor from among the nominees presented in accordance with procedures set forth in the Municipal Vacancy Law; and

**NOW, THEREFORE BE IT RESOLVED** that the Council does hereby appoint Thomas Calabrese as Mayor of the Borough of Cliffside Park, to succeed Gerald A. Calabrese in that office and to serve his unexpired term; and

**BE IT FURTHER RESOLVED** that Thomas Calabrese promptly be administered the oath of office of Mayor of the Borough of Cliffside Park and that he immediately thereafter assume and discharge the duties and responsibilities of the Chief Executive Officer of the municipality.

**OATH OF OFFICE:**

THE OATH OF OFFICE WAS ADMINISTERED TO THOMAS CALABRESE BY HONORABLE MAYOR MARK SOKOLICH OF FORT LEE.

**PRESENTATIONS:**

THE HONORABLE COUNTY CLERK JOHN HOGAN PRESENTED A CLIFFSIDE PARK HISTORICAL POSTER.

CERTIFICATES OF COMMENDATION WERE GIVEN TO THE FIREFIGHTERS AND POLICEMEN.

ORIGINAL PAINTINGS BY PERRY PANEBIANCO OF P.O. STEPHEN PETRUZZELLO WERE GIVEN TO HIS PARENTS AND THE BOROUGH BY THE ARTIST. MS. PANEBIANCO PROVIDES ART INSTRUCTION DURING WEEKLY CLASSES AT THE CLIFFSIDE PARK SENIOR ACTIVITY CENTER.

OFFICIAL SEND OFF TO CLIFFSIDE PARK PARTICIPANTS IN THE NATIONAL UNITY BICYCLE TOUR WAS HIGHLIGHTED BY A DONATION MADE BY THE AMERICAN LEGION POST 126 COMMANDER CARL RAINCOUT AND PRESIDENT RICHARD ALLEN. IN ADDITION, \$5,500.00 WAS DONATED FOR NEW HONOR GUARD UNIFORMS, OF WHICH \$2,000.00 WAS IN HONOR OF P.O. STEPHEN PETRUZZELLO.

**MINUTES:**

**On a motion by Councilman Corcoran, seconded by Councilwoman Spoto, the minutes of the Caucus Meeting of April 13, 2015 were accepted.**

ROLL CALL:

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

**On a motion by Councilman Corcoran seconded by Councilwoman Spoto, the minutes of the Regular Meeting of April 13, 2015 were accepted.**

ROLL CALL:

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

**CONSENT AGENDA:**

MAY 5, 2015

**On a motion by Councilman Bongard, seconded by Councilman Corcoran the claims were ordered paid.**

ROLL CALL:

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

**RESOLUTIONS:**

**On a motion by Councilman Bongard, seconded by Councilman Corcoran, Resolutions 2015-99 to 2015-111 were offered for adoption:**

ROLL CALL:

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

**RESOLUTION 2015-99**

**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**, Lucila Soles of 387 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 her 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 2015-100**

**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**, Danny Almonte of 65 Oakdene 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 his 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 2015-101**

**Resolution for Multi-Jurisdictional Hazard Mitigation Plan**

**WHEREAS**, the Bergen County Multi-Jurisdictional Hazard Mitigation Plan has been approved by both the State of New Jersey and FEMA as of April 13, 2015; and

**WHEREAS**, all 70 Municipalities and the County of Bergen must adopt the revised Bergen County Multi-Jurisdictional Mitigation Plan as revised to remain eligible for mitigation grant funding; and

**WHEREAS**, the departments identified within the Borough of Cliffside Park by the Plan are hereby directed to implement recommended activities subject to and contingent upon the approval and discretion of the governing body and that minor revisions recommended by the New Jersey Office of Emergency Management may be incorporated without further action; and

MAY 5, 2015

**WHEREAS**, this resolution shall not be interpreted to mandate any such budget appropriations; and

**WHEREAS**, Stewart Devito, the Emergency Management Coordinator is designated to liaise with other offices as well as being responsible for preparing an annual report to the Bergen County Office of Emergency Management detailing activities and accomplishments to be submitted on a predetermined date.

**NOW, THEREFORE IT BE RESOLVED** by the governing body of the Borough of Cliffside Park that the Borough Clerk is authorized and directed to forward a certified copy of this resolution to New Jersey State OEM and FEMA, Bergen County OEM and Stewart Devito OEM Coordinator for the Borough of Cliffside Park.

### RESOLUTION 2015-102

**WHEREAS**, the Cliffside Park Police Department has received a request from **Gerald Benevento** of **250 Cliff Street** for a handicapped parking space in front of his residence. **Gerald Benevento** has been issued Permanent Handicap Place Card **P1409755** 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.

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
Cliff Street	South	Beginning at a point approximately 40 feet east of the southeast curb line of Cliff Street and Third Street and continuing to a point 22 feet easterly thereof.

### RESOLUTION 2015-103

**WHEREAS**, the Cliffside Park Police Department has received a request from **Squad Issa** of **550 Olympia Avenue** for a handicapped parking space in front of his residence. **Squad Issa** has been issued Permanent Handicap Place Card **P1153588** 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.

<b>Name of Street</b>	<b>Side:</b>	<b>Location:</b>
Olympia Avenue	East	Beginning at a point approximately 190 feet north of the northeast curb line of Olympia Avenue and Greenmount Avenue and continuing to a point 22 feet northerly thereof.

### RESOLUTION 2015-104

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

Adopted on: **9-2001**

**RESOLUTION # UNKNOWN**  
250 Cliff Street

MAY 5, 2015

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 2015-105**

**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, Julio Moncayo** of 473 Columbia Avenue 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 his 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 2015-106**

**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, Ann Marie Picca** of 504 Oregon 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 her 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 2015-107**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK,** THAT CERTAIN TAXPAYERS HAVE MADE DUPLICATE 2015 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 2015-108**

**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 #263496

MAY 5, 2015

MUNICIPAL APPROVAL  
VENDOR: TRINO ASSOCIATES  
PURPOSE: LAWTON AVE SEWER  
AMOUNT: \$141,480.64

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

### RESOLUTION 2015-109

**BE IT RESOLVED** that the Council does hereby approve the following schedule of fees for the 2015 season of recreation sports:

SOCCER – \$50 per participant  
FOOTBALL – \$65 per participant  
CHEERLEADING – \$50 per participant  
COMPETITIVE CHEERLEADING - \$50 per participant  
BASKETBALL – \$50 per participant  
WRESTLING – \$50 per participant  
SUMMER CAMP – \$65 per participant

**BE IT FURTHER RESOLVED** that Recreation Coordinator Rose Messina be tendered a copy of this Resolution.

### RESOLUTION 2015-110

**WHEREAS**, Cliff Lane/Palisade Ave, LLC filed tax appeals for the calendar year 2011 per plus the Freeze Act for years 2012 and 2013 for the real property known as Block 607 Lots 8, 9, 10 and 11, Cliffside Park;

**WHEREAS**, the settlement assessment reductions are as follows:

	Address:	309-311 Palisade Avenue Block 607 Lot 8	
		<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land:		\$231,000.00	\$207,900.00
Improvements:		<u>\$444,000.00</u>	<u>\$399,600.00</u>
Total:		\$675,000.00	\$607,500.00
Total assessed reduction:		\$67,500.00	

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	Address:	307 Palisade Avenue Block 607 Lot 9	
		<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land:		\$153,000.00	\$137,700.00
Improvements:		<u>\$178,000.00</u>	<u>\$160,200.00</u>
Total:		\$331,000.00	\$297,900.00
Total assessed reduction:		\$33,100.00	

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	Address:	305 Palisade Avenue Block 607 Lot 10	
		<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land:		\$ 247,000.00	\$ 222,300.00
Improvements:		<u>\$9,648,100.00</u>	<u>\$8,683,290.00</u>

MAY 5, 2015

Total:	\$9,895,100.00	\$8,905,590.00
Total assessed reduction:	\$989,510.00	

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Address: 302-308 Palisade Avenue Block 607 Lot 11

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land:	\$ 264,000.00	\$ 237,600.00
Improvements:	<u>\$1,331,600.00</u>	<u>\$1,198,440.00</u>
Total:	\$1,595,600.00	\$1,436,040.00

Total assessed reduction: \$159,560.00

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**WHEREAS**, the adjusted figures and reduction have been confirm by judgment filed with the Tax Court of New Jersey attached hereto and incorporated herein as set forth in its entirety; and

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector Frank Berardo is hereby authorized to issue the appropriate tax refunds for the calendar 2011 to the taxpayer Cliff Lane/Palisade Ave, LLC and the Freeze Act of 212 and 2013; and

**BE IT FURTHER RESOLVED** that a certified copy of the Plaintiff’s Counsel James Demetrakis, Esq. Tax Assessor Peter Colao, Appraisor Robert McNerney, Borough Administrator Joseph Rutch, and Borough Attorney Christos J. Diktas.

**RESOLUTION 2015-111**

**Change Order No. 2, 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. 2, dated April 29, 2015 in the amount of \$20,548.50 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. 2, 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. 2, dated April 29, 2015 in the amount of \$20,548.50 increase be approved and adjusts the contract amount to \$454,803.50; 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. 2.

**ORDINANCES: PUBLIC HEARING AND ADOPTION:**

MAY 5, 2015

**Councilwoman Spoto CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:**

**ORDINANCE 2015-02**

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilwoman Spoto moved a public hearing be held on the ordinance. The motion was seconded by Councilman Bongard. So ordered.

Councilwoman Spoto moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilman Fontana moved the hearing be closed. The motion was seconded by Councilman Corcoran.

Councilman Fontana moved the ordinance be adopted on second reading and final passage, which was seconded by Councilman Corcoran and adopted upon a call of the roll.

ROLL CALL:

AYES: Spoto, Fontana, Bongard, 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 conversion 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 conversion of duplexes shall have only one toilet/stall shower only facility.

**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.

MAY 5, 2015

**Councilwoman Spoto CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:**

**ORDINANCE 2015-03**

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilwoman Spoto moved a public hearing be held on the ordinance. The motion was seconded by Councilman Bongard. So ordered.

Councilwoman Spoto moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilwoman Martinotti moved the hearing be closed. The motion was seconded by Councilman Bongard.

Councilwoman Martinotti moved the ordinance be adopted on second reading and final passage, which was seconded by Councilman Bongard and adopted upon a call of the roll.

ROLL CALL:

.AYES: Spoto, Fontana, Bongard, 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.

**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

MAY 5, 2015

**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 CALLED UP FOR A SECOND READING AN ORDINANCE ENTITLED:**

**ORDINANCE 2015-04**

The clerk presented affidavit of publication, showing advertisement had been made according to law, which was ordered filed. Councilman Corcoran moved a public hearing be held on the ordinance. The motion was seconded by Councilwoman Spoto. So ordered.

Councilman Corcoran moved the clerk read the ordinance by title on second reading. So ordered. The clerk thereupon read the ordinance by title. The clerk then announced that all interested parties would now be given opportunity to be heard for or against the adoption of the ordinance.

The following people spoke on the ordinance: None.

After all interested parties had spoken on the ordinance Councilwoman Spoto moved the hearing be closed. The motion was seconded by Councilman Bongard.

Councilwoman Spoto moved the ordinance be adopted on second reading and final passage, which was seconded by Councilman Bongard and adopted upon a call of the roll.

ROLL CALL:

AYES: Spoto, Fontana, Bongard, 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:

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

<b>Street</b>	<b>Side</b>	<b>Location</b>
John Street	East	Beginning at a point of 0 feet west of the southeast curb line of Walker Street and John

MAY 5, 2015

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.

**PUBLIC PORTION:**

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

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 PARTICIPATION:**

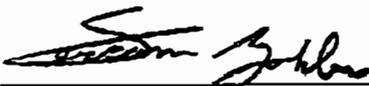
Robert Iulo, Jr. of 70 Oakdene Avenue congratulated Mayor Thomas Calabrese on his appointment. He remarked that Mayor Gerald Calabrese and his father Robert Iulo, Sr. had been good friends. Mayor Calabrese stated that he would continue his father's tradition of service to the community and helping the people of Cliffside Park.

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 7:40 p.m.

**ATTEST:**

  
\_\_\_\_\_  
SERCAN ZOKLU, RMC  
BOROUGH CLERK

**APPROVED:**

  
\_\_\_\_\_  
THOMAS CALABRESE  
MAYOR