

**BOROUGH OF CLIFFSIDE PARK  
BERGEN COUNTY, NEW JERSEY  
REGULAR MEETING OF MAYOR AND COUNCIL  
SEPTEMBER 8, 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, BOTH OFFICIAL NEWSPAPERS OF THE BOROUGH.
2. POSTING OF NOTICE ON THE BULLETIN BOARD.
3. PRESERVING A COPY IN THE CLERK'S OFFICE.

<b>MINUTES:</b>	CLOSED EXECUTIVE SESSION MINUTES	AUGUST 5, 2015
	CAUCUS MEETING MINUTES	AUGUST 5, 2015
	REGULAR MEETING MINUTES	AUGUST 5, 2015

**CONSENT AGENDA:**

PAYMENT OF CLAIMS

<b>RESOLUTION #</b>	<b>DESCRIPTION OF RESOLUTION</b>	<b>AMOUNT OF RESOLUTION</b>
2015-197	RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF EMERGENCY VEHICLES BY AND BETWEEN THE BOROUGH OF CLIFFSIDE PARK AND THE BOROUGH OF FORT LEE	N/A
2015-198	PROPERTY TAX LIEN FOR PROPERTY MAINTENANCE - 538 LONGVIEW AVE	N/A
2015-199	CLASS I SPECIAL POLICE OFFICER APPOINTMENTS	N/A
2015-200	PROPERTY TAX LIEN FOR PROPERTY MAINTENANCE - 54 LAWTON AVENUE	N/A
2015-201	PROPERTY TAX LIEN FOR EMERGENCY RELOCATION COSTS - 413 PALISADE AVENUE	N/A
2015-202	FLU CONTRACT WITH COUNTY OF BERGEN	\$175.00 PER 10 DOSE VIAL
2015-203	BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION FOR PALISADE AVENUE STREETScape PROJECT, PHASE II	\$285,000
2015-204	ADDITIONAL ANDERSON AVENUE SIDEWALK SALE EVENT	N/A
2015-205	FENCE APPLICATION 434 NELSON AVENUE	N/A
2015-206	FENCE APPLICATION 264 COLUMBIA AVENUE	N/A
2015-207	AWARD OF LAWTON AVENUE, JERSEY AVENUE, AND WHEELER STREET IMPROVEMENTS PROJECT	\$355,525
2015-208	REDEMPTION OF TAX TITLE LIEN 100 WINSTON DRIVE UNIT 14E SOUTH	N/A
2015-209	REDEMPTION OF TAX TITLE LIEN 341 HIGHLAND AVENUE	N/A
2015-210	REDEMPTION OF TAX TITLE LIEN	N/A

	341 HIGHLAND AVENUE	
2015-211	REFUND OF STATE BOARD JUDGEMENTS	N/A
2015-212	REIMBURSEMENT FROM THE BERGEN COUNTY OPEN SPACE PROGRAM FOR ZALEWSKI PARK IMPROVEMENTS	\$64,383.32
2015-213	RENEWAL OF LIQUOR LICENSE VANSH GROUP LLC	N/A
2015-214	RENEWAL OF ADDITIONAL LIQUOR LICENSES	N/A
2015-215	REIMBURSEMENT FROM THE BERGEN COUNTY OPEN SPACE PROGRAM, IN THE AMOUNT OF \$44,933.00 FOR ZALEWSKI PARK IMPROVEMENTS	\$44,933.00
2015-216	FENCE APPLICATION 56 LAFAYETTE AVENUE	N/A
2015-217	FENCE APPLICATION 449 ONCREST TERRACE	N/A
2015-218	AWNING SIGN APPLICATION – 739 ANDERSON AVENUE	N/A
2015-219	REDEMPTION OF TAX TITLE LIEN #14-07 227 COLUMBIA AVE	N/A
2015-220	MAYOR'S APPOINTMENT OF SECURITY OFFICER – PER DIEM	\$16.81 PER HOUR
2015-221	IMO SK	N/A
2015-222	IMO MG	N/A
2015-223	AWARD OF ONE FOUR WHEEL DRIVE ARTICULATED WHEEL LOADER	\$160,300.00

**OFF CONSENT AGENDA:**

<b>RESOLUTION #</b>	<b>DESCRIPTION OF RESOLUTION</b>	<b>AMOUNT OF RESOLUTION</b>
2015-224	RENEWAL OF INACTIVE LIQUOR LICENSE 0206-33-034-009 JAMES DEMETRAKIS	N/A
2015-225	RENEWAL OF LIQUOR LICENSE 0206-33-017-009 BERGEN HENRY ASSOCIATES LLC	N/A

**ORDINANCES: INTRODUCTION**

ORDINANCE 2015-07 AN ORDINANCE AMENDING CHAPTER 18, ARTICLE 14 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF CLIFFSIDE PARK

**ORDINANCES: SECOND HEARING AND ADOPTION**

**COMMITTEE REPORTS:**

**PUBLIC PORTION:**

**ADJOURN:**

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

September 8, 2015

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

**MINUTES OF THE REGULAR MEETING  
SEPTEMBER 8, 2015**

**CALL TO ORDER AT 7:00 P.M.**

**FLAG SALUTE LED BY MAYOR THOMAS CALABRESE**

**PRESENT AT ROLL CALL:**

Mayor	Thomas Calabrese
Councilwoman	Donna Spoto
Councilman	Larry Bongard
Councilwoman	Dana Martinotti
Councilman	Kenneth Corcoran
Councilman	Peter Colao

**ABSENT AT ROLL CALL:**

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

**ROLL CALL:**

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

**SERCAN ZOKLU STATED:**

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

1. NOTICE PUBLISHED JULY 17, 2015 WITH THE RECORD, AND JULY 20, 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.

**MINUTES:**

**On a motion by Councilwoman Martinotti, seconded by Councilwoman Spoto, the minutes of the Closed Executive Session of August 5, 2015 were accepted.**

**ROLL CALL:**

AYES: Spoto, Martinotti, Corcoran, Colao. ABSTAIN: Bongard. ABSENT: Fontana.

**On a motion by Councilwoman Martinotti, seconded by Councilwoman Spoto, the minutes of the Caucus Meeting of August 5, 2015 were accepted.**

**ROLL CALL:**

AYES: Spoto, Martinotti, Corcoran, Colao. ABSTAIN: Bongard. ABSENT: Fontana.

**On a motion by Councilwoman Martinotti, seconded by Councilwoman Spoto, the minutes of the Regular Meeting of August 5, 2015 were accepted.**

**ROLL CALL:**

AYES: Spoto, Martinotti, Corcoran, Colao. ABSTAIN: Bongard. ABSENT: Fontana.

**CONSENT AGENDA:**

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

**ROLL CALL:**

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

**RESOLUTIONS:**

**On a motion by Councilman Bongard, seconded by Councilman Corcoran, Resolutions 2015-197 to 2015-223 were offered for adoption:**

**ROLL CALL:**

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

**RESOLUTION 2015-197**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT FOR THE INSTALLATION, MAINTENANCE AND REPAIR OF EMERGENCY VEHICLES BY AND BETWEEN THE BOROUGH OF CLIFFSIDE PARK AND THE BOROUGH OF FORT LEE**

**WHEREAS**, the Borough of Cliffside Park and the Borough of Fort Lee seek to enter into an Interlocal Agreement; and

**WHEREAS**, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A. 40:8A-1 et seq.; and

**WHEREAS**, the governing bodies of the Borough of Cliffside Park and the Borough of Fort Lee recognize that the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the respective taxpayers of the respective municipalities.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough Cliffside Park authorizes the execution of an Interlocal Services Agreement with the Borough of Fort Lee for a period of three (3) years; and

**BE IT FURTHER RESOLVED** that the Agreement shall commence immediately and end on December 31, 2018; and

**BE IT FURTHER RESOLVED** that the cost of the same shall be set forth in the Agreement, which is attached hereto; and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Cliffside Park hereby authorize the execution of an Interlocal Services Agreement with the Borough of Fort Lee; and

**BE IT FURTHER RESOLVED** that the Agreement shall take effect upon the execution of same and adoption of Resolutions by both parties as provided by law; and

**BE IT FURTHER RESOLVED** that a certified copy of the Agreement be maintained on file and open to public inspection in the office of the Borough Clerk.

**RESOLUTION 2015-198**

**WHEREAS**, Ordinance 2010-3 requires that property owners maintain their respective premises from overgrown grass, weeds, shrubbery and/or debris; and

**WHEREAS**, the Ordinance has determined that failure to comply with the Property Maintenance requirements, affects the health, safety and welfare of residents of the Borough, its visitors and municipal employees; and

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**WHEREAS**, according to N.J.S.A.40:65-12 and 40:48-12.2(7), Council authorized Ordinance 2010-3, permitting the Borough to cut overgrown grass, weeds, shrubbery and/or debris removal at the cost of the property owner; and

**WHEREAS**, Frank Poerio and/or Greg Yfantis, Municipal Property Maintenance Officials, issued the notice to the following property owners in violation of the ordinance:

Tahir Becovic                                 \$300.00  
538 Longview Avenue  
Cliffside Park, NJ 07010

**WHEREAS**, in order to maintain the health, safety and welfare of the Municipality, the Borough has incurred maintenance costs in the afore described respective amounts; and

**WHEREAS**, the Borough retained Eurodesign Landscaping LLC to undertake the emergency maintenance of the afore described properties; and

**NOW THEREFORE BE IT RESOLVED** pursuant to Ordinance 2010-3, the Council does hereby authorize the payment to Eurodesign Landscaping LLC in the amount of \$300.00, and directs the Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

**BE IT FURTHER RESOLVED** that a certified to be true copy of this resolution be tendered to all property owners as follows:

Tahir Becovic                                 \$300.00  
538 Longview Avenue  
Cliffside Park, NJ 07010

**RESOLUTION 2015-199**

**MAYOR’S SPECIAL POLICE OFFICER, CLASS I**

**WHEREAS**, Police Chief Richard Gaito has recommended the following appointments as part time Special Police Officers, Class I:

<b><u>NAME</u></b>	<b><u>TERM EXPIRES</u></b>
Domenico Durso	12/31/2015
Slavko Bajovic	12/31/2015
Giovanni Orjuela	12/31/2015
Cristian Orjuela	12/31/2015
Shanice Camacho	12/31/2015
Byron Dominguez	12/31/2015
Julio Perez	12/31/2015
Alexander Cancian	12/31/2015
Filip Bajovic	12/31/2015
Aleksandar Ramadanovic	12/31/2015
Christopher Parent	12/31/2015
Peter Schmitt	12/31/2015
Nicholas Cima	12/31/2015
Brianna Carlo	12/31/2015
Juan Henao	12/31/2015

**WHEREAS**, this position is an appointment by the Mayor with the advice and consent of the Borough Council pursuant to the Municipal Code of the Borough of Cliffside Park; and

**WHEREAS**, Mayor Thomas Calabrese requests the advice and consent of the Council to appoint the above individuals to the position of part time Special Police Officer, Class I; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park hereby consent to the above part time Special Police appointments; and

**BE IT FURTHER RESOLVED** ,that these appointments be effective immediately and that they shall expire at the end of the current calendar year and may be revoked without cause or hearing.

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## RESOLUTION 2015-200

**WHEREAS**, Ordinance 2010-3 requires that property owners maintain their respective premises from overgrown grass, weeds, shrubbery and/or debris; and

**WHEREAS**, the Ordinance has determined that failure to comply with the Property Maintenance requirements, affects the health, safety and welfare of residents of the Borough, its visitors and municipal employees; and

**WHEREAS**, according to N.J.S.A.40:65-12 and 40:48-12.2(7), Council authorized Ordinance 2010-3, permitting the Borough to cut overgrown grass, weeds, shrubbery and/or debris removal at the cost of the property owner; and

**WHEREAS**, Frank Poerio and/or Greg Yfantis, Municipal Property Maintenance Officials, issued the notice to the following property owners in violation of the ordinance:

Kutschera, M. C/O Agnes Vavala        \$300.00  
500 Delaware Avenue  
Wilmington, De 19801

**WHEREAS**, in order to maintain the health, safety and welfare of the Municipality, the Borough has incurred maintenance costs in the afore described respective amounts; and

**WHEREAS**, the Borough retained Eurodesign Landscaping LLC to undertake the emergency maintenance of 54 Lawton Avenue; and

**NOW THEREFORE BE IT RESOLVED** pursuant to Ordinance 2010-3, the Council does hereby authorize the payment to Eurodesign Landscaping LLC in the amount of \$300.00, and directs the Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

**BE IT FURTHER RESOLVED** that a certified to be true copy of this resolution be tendered to all property owners as follows:

Kutschera, M. C/O Agnes Vavala        \$300.00  
500 Delaware Avenue  
Wilmington, De 19801

## RESOLUTION 2015-201

**WHEREAS**, N.J.A.C 5:11-1.1 governs benefits due to persons displaced by the Municipal Code Enforcement Officer; and

**WHEREAS**, Borough Code 11-3 Unfit Dwellings provides procedural and substantive due process procedures for buildings or structures that are unfit for human habitation, occupancy or use; and

**WHEREAS**, a Red Tag of the property at 413 Palisade Avenue displaced multiple residents from their homes and the building or structure was deemed unfit for human habitation, occupancy or use; and

**WHEREAS**, according to N.J.A.C 5:11-1.1 and Borough Code 11-3, the Office of Emergency Management along with the Municipal Code Enforcement Officer determined that these residents be temporarily relocated; and

**WHEREAS**, Stewart DeVito, Coordinator for the Office of Emergency Management and, Sercan Zoklu, Borough Clerk, issued the bills to the following property owners for reimbursement of the emergency relocation costs for his/her tenants:

Rosemary Bivone                        \$5,365.00  
413 Palisade Avenue  
Cliffside Park, NJ 07010

**WHEREAS**, in order to maintain the health, safety and welfare of the Municipality, the Borough has incurred emergency relocation costs in the afore described respective amounts; and

**WHEREAS**, the Borough paid Comfort Inn in the amount of \$5,365.00 to provide shelter for the

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emergency relocation of the tenants; and

**NOW, THEREFORE, BE IT RESOLVED** pursuant to Borough Code 11-3.8, the Council directs Tax Collector Frank Berardo to issue and file municipal liens against all properties described herein; and

**BE IT FURTHER RESOLVED** that a certified to be true copy of this resolution be tendered to all property owners as follows:

Rosemary Bivone                      \$5,365.00  
413 Palisade Avenue  
Cliffside Park, NJ 07010

### **RESOLUTION 2015-202**

#### **FLU / PNEUMOCOCCAL PROFESSIONAL SERVICES AGREEMENT**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park, that the Borough be and is hereby authorized to enter into an agreement with the County of Bergen for the purchase of flu vaccine for the at risk residents of Cliffside Park; and

**BE IT RESOLVED** that the cost of this vaccine shall be \$175.00 per 10 dose vial for the flu vaccine; and

**BE IT FURTHER RESOLVED** that Council President be and is hereby authorized to execute the necessary agreement with the County of Bergen, in a form to be approved by the Borough's Council.

### **RESOLUTION 2015-203**

**WHEREAS**, a Bergen County Community Development grant of \$ 285,000.00 has been proposed by the Borough of Cliffside Park for the Palisade Avenue Streetscape Project, Phase II in the Borough; 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 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 2015-204**

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

#### **AUTUMN EVENT:**

Thursday      September 10, 2015  
Friday         September 11, 2015  
Saturday      September 12, 2015

### **RESOLUTION 2015-205**

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**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**, Grastuni Construction LLC of 434 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 2015-206**

**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**, the Living Word Church of 264 Columbia 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 2015-207**

**WHEREAS**, the Borough Clerk of the Borough of Cliffside Park (Borough) was previously authorized to advertise for bids for the Lawton Avenue, Jersey Avenue, and Wheel Street Improvements project; and

**WHEREAS**, pursuant to said notice, the receipt and opening of bids took place September 1, 2015, at 11:00 AM, at which time the following bids were received:

<b>Company</b>	<b>BASE BID</b>
Reggio Construction, Inc.	\$355,525.00

**WHEREAS**, the Chief Financial Officer of the Borough of Cliffside Park has confirmed the availability of funds for the project; and

**WHEREAS**, Boswell McClave Engineering has recommended acceptance of the Base Bid of Reggio Construction, Inc. as being the apparent low bidder received;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park award the Base Bid to Reggio Construction, Inc., 1575 West Street, Fort Lee, New Jersey 07024, in the amount of \$355,525.00; and

**BE IT FURTHER RESOLVED** that the Borough requires the submission of the Performance Bond and Payment Bond, Certificate of Insurance, Affirmative Action Affidavit, and Initial Project Workforce Report (Form AA-201) before contracts are issued; and

**BE IT FURTHER RESOLVED** that the Borough Attorney is hereby authorized to prepare all necessary documents to effectuate this resolution; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds required for the purpose of this award come from Capital Ordinance 2015-05; and

**BE IT FURTHER RESOLVED** that one (1) copy of this resolution as certified by the Borough Clerk shall be forwarded to Boswell McClave Engineering, the Chief Financial Officer, Reggio Construction, Inc. and the Borough Attorney.

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### **RESOLUTION 2015-208**

**WHEREAS**, DANIEL BARON OF 100 WINSTON DRIVE UNIT 14E SOUTH B.3601 L.8 CS14E CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$33,698.88 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 14-11 SOLD TO MTAG AS CUST FOR ALTERNA FUNDING I, LLC FOR 2013 TAXES IN THE AMOUNT OF \$13,209.12; 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 \$33,698.88 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$45,000.00 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 MTAG AS CUSTODIAN FOR ALTERNA FUNDING I, LLC P.O. BOX 54817, NEW ORLEANS, LA 70154.

### **RESOLUTION 2015-209**

**WHEREAS**, ANTONIO MACERI OF 341 HIGHLAND AVENUE B.705 L.18 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$75,775.34, WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 09-03 SOLD TO KEY PROPERTIES FOR 2008 TAXES IN THE AMOUNT OF \$11,402.03; 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 \$75,775.34 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 KEY PROPERTIES, 153 FORT LEE ROAD, TEANECK, NJ 07666.

### **RESOLUTION 2015-210**

**WHEREAS**, ANTONIO MACERI OF 341 HIGHLAND AVENUE B.705 L.18 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$33,231.12, WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 13-03 SOLD TO US BANK CUSTODIAN FOR EMOIRE TAX FUND VI FOR 2012 TAXES IN THE AMOUNT OF \$9,476.90; 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 \$33,231.12 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 US BANK CUSTODIAN FOR EMOIRE TAX FUND VI, 50 S. 16<sup>TH</sup> STREET SUITE 1950, PHILADELPHIA, PA 19102.

### **RESOLUTION 2015-211**

**WHEREAS**, CERTAIN TAXPAYERS APPLIED FOR STATE BOARD JUDGMENTS ON THEIR 2014 AND PRIOR TAXES; AND

**WHEREAS**, THE GRANTING OF SAID REDUCTIONS RESULTED IN OVERPAYMENTS ON THEIR 2014 AND PRIOR TAXES; AND

### **RESOLUTION 2015-215**

**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 OPEN SPACE PROGRAM.

BERGEN COUNTY VOUCHER #263499  
MUNICIPAL APPROVAL  
VENDOR: TGE, LLC  
PURPOSE: IMPROVEMENTS TO ZALEWSKI PARK  
AMOUNT: \$44,933.00

**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 2015-216**

**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,** Premier Developers, regarding 56 Lafayette Avenue, Cliffside Park, NJ have 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 the 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 2015-217**

**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,** John Milone of 449 Oncrest Terrace, 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 2015-218**

**WHEREAS,** the tenant of the property located at 739 Anderson Avenue, Cliffside Park, New Jersey would like to install an awning sign for her business establishment, **J. motif**; and

**WHEREAS,** the Zoning Official has reviewed the application and all pertinent documentation and has found them to be in order and has given his approval to the application; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Cliffside Park that the application of **J. motif** for an awning sign be approved; and  
**BE IT FURTHER RESOLVED** that the Zoning Official is hereby authorized to execute the application this 8th day of September, 2015.

**RESOLUTION 2015-219**

**WHEREAS**, GIUSEPPE CONDEMI OF 227 COLUMBIA AVE B.2406 L.9 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$33,427.23 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 14-07 SOLD TO SUNSHINE STATE CERTIFICATES V, LLLP FOR 2013 TAXES IN THE AMOUNT OF \$12,962.44.

**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 \$33,427.23 FOR THE REDEMPTION OF SAID TAX TITLE LIEN, AND A CHECK IN THE AMOUNT OF \$35,000.00 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 SUNSHINE STATE CERTIFICATES V, LLLP, 7900 MIAMI LAKES WEST 3<sup>RD</sup> FLOOR, MIAMI LAKES, FLORIDA 33016.

**RESOLUTION 2015-220**

**WHEREAS**, Borough Administrator Joseph Rutch has recommended the following per diem appointment as a Security Officer:

**NAME**

Mark Lombardi

**WHEREAS**, this position is an appointment by the Mayor with the advice and consent of the Borough Council; and

**WHEREAS**, the Mayor requests the advice and consent of the Council to appoint the above individual to the position of per diem security officer at an hourly rate of \$16.81 without any health benefits; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Cliffside Park hereby consent to the above security officer appointment, subject to the satisfactory completion of all of the conditions adopted pursuant to the job description dated July 17, 2014; and

**BE IT FURTHER RESOLVED**, that this appointment be effective immediately and that they shall expire at the end of the current calendar year and may be revoked without cause or hearing.

**RESOLUTION 2015-221**

**WHEREAS**, the Council has selected the Municipal Hearing Officer James Carroll (hereinafter referred to as "Hearing Officer") to conduct an investigation regarding the issues surrounding Cliffside Park Special Police Officer Salua Kharoufeh; and

**WHEREAS**, the Hearing Officer conducted numerous fact findings and investigative sessions; and

**WHEREAS**, Council has reviewed the report and recommendation of the Hearing Officer; and

**NOW THEREFORE BE IT RESOLVED** that the Council does hereby adopt the recommendations of the Hearing Officer in regard to Cliffside Park Special Police Officer Salua Kharoufeh in its entirety; and

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be tendered to Special Police Officer Salua Kharoufeh, Chief Richard Gaito, Borough Administrator Joseph Rutch and Borough Attorney Christos J. Diktas.

**RESOLUTION 2015-222**

September 8, 2015

**WHEREAS**, the Council has selected the Municipal Hearing Officer James Carroll (hereinafter referred to as "Hearing Officer") to conduct an investigation regarding the issues surrounding Cliffside Park Police Officer Michael Giampetro; and

**WHEREAS**, Hearing Officer conducted numerous fact finding and investigative sessions; and

**WHEREAS**, Council has reviewed the report and recommendation of the Hearing Officer; and

**NOW THEREFORE BE IT RESOLVED** that the Council does hereby adopt the recommendations of the Hearing Officer in regard to the Cliffside Park Police Officer Michael Giampetro in its entirety;

**BE IT FURTHER RESOLVED** that a certified true copy of this resolution be tendered to James Patuto, Esq. counsel for Michael Giampetro, Chief Richard Gaito, Borough Administrator Joseph Rutch and Borough Attorney Christos J. Diktas.

### **RESOLUTION 2015-223**

**WHEREAS**, the Council previously authorized the preparation of bid specifications for a purchase of a "One Four Wheel Drive Articulated Wheel Loader"; and

**WHEREAS**, the Bid advertisement was published and Bid specifications provided to potential bidders; and

**WHEREAS**, the Borough received Bids from the following three (3) bidders:

1. Groff Tractor of New Jersey LLC,
2. Harter Equipment, Inc., and
3. Jesco, Inc.

**WHEREAS**, as a review of the Bids submitted has determined that the Contract Bid values are as follows:

1. Groff Tractor of New Jersey LLC;	\$156,200.00 plus \$4,100.00 *
2. Harter Equipment, Inc., and	\$159,995.00 plus \$7,680.00 *
3. Jesco, Inc.	\$156,250.00 plus \$4,850.00 *

\* Extra Truck Components

**NOW THEREFORE BE IT RESOLVED** that the Council does hereby authorize the acceptance of the lowest Bid submitted by Groff Tractor of New Jersey, LLC in the amount of \$156,200.00 plus \$4,100.00 for extras totaling \$160,300.00; and

**BE IT FURTHER RESOLVED** that the Council does hereby authorize Borough Administrator Joseph Rutch to execute a purchase order for the aforementioned; and

**BE IT FURTHER RESOLVED** that the Borough Clerk Sercan Zoklu is authorized to release the performance bonds and/or cash bonds to the non-responsive bidders within one (1) week after the adoption of this Resolution; and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer certifies that funds required for the purpose of this award come from Capital Ordinance 2015-05; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be tendered to the prevailing Bidder aforementioned and Borough Administrator Joseph Rutch.

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

**On a motion by Councilman Corcoran, seconded by Councilman Bongard, Resolution 2015-224 was offered for adoption:**

September 8, 2015

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran. ABSTAIN: Colao. ABSENT: Fontana.

### **RESOLUTION 2015-224**

**WHEREAS**, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33: 1-12.39 (AGENCY DOCKET NO. 07-14-8817) FOR THE 2014-15 AND 2015-16 LICENSE TERMS TO: JAMES DEMETRAKIS, LICENSE #0206-33-034-009; AND

**WHEREAS**, JAMES DEMETRAKIS HAS PREVIOUSLY SUBMITTED THE 2015-2016 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

**NOW, THEREFORE, BE IT RESOLVED** THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

**On a motion by Councilwoman Martinotti, seconded by Councilman Bongard, Resolution 2015-225 was offered for adoption:**

ROLL CALL:

AYES: Spoto, Bongard, Martinotti, Corcoran. ABSTAIN: Colao. ABSENT: Fontana.

### **RESOLUTION 2015-225**

**WHEREAS**, THE BOROUGH CLERK HAS RECEIVED FROM THE DIRECTOR OF THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL, A SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33: 1-12.39 (AGENCY DOCKET NO. 07-15-138.22501) FOR THE 2015-16 AND 2016-17 LICENSE TERMS TO: BERGEN HENRY ASSOCIATES LLC, LICENSE #0206-33-017-009; AND

**WHEREAS**, BERGEN HENRY ASSOCIATES LLC HAS PREVIOUSLY SUBMITTED THE 2015-2016 RENEWAL APPLICATIONS AND ALL THE NECESSARY FEES TO THE BOROUGH CLERK AND SAME HAS BEEN FORWARDED TO THE DIVISION OF ALCOHOLIC BEVERAGE CONTROL; AND

**NOW, THEREFORE, BE IT RESOLVED** THAT ALL THE REQUIREMENTS HAVE BEEN MET, AND SAID APPLICATION IS IN ORDER FOR APPROVAL BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK.

**Councilman Corcoran INTRODUCED AN ORDINANCE ENTITLED:**

### **ORDINANCE 2015-07**

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 Record on September 11, 2015 and in The Jersey Journal on September 12, 2015. Motion was seconded by Councilman Bongard.

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 October 6, 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, Bongard, Martinotti, Corcoran, Colao.      **ABSENT:** Fontana.

**ORDINANCE 2015-07**

**AN ORDINANCE AMENDING CHAPTER 18, ARTICLE 14  
OF THE REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF CLIFFSIDE PARK**

**18-14 STEEP SLOPE MODEL ORDINANCE**

**18-14.1 PURPOSE**

The purpose of this Ordinance is to regulate the intensity of use in areas of steeply sloping terrain in order to limit soil loss, erosion, excessive stormwater runoff, the degradation of surface water and to maintain the natural topography and drainage patterns of land.

**18-14.2 BACKGROUND**

Disturbance of steep slopes results in accelerated erosion processes from stormwater runoff and the subsequent sedimentation of waterbodies with the associated degradation of water quality and loss of aquatic life support. Related effects include soil loss, changes in natural topography and drainage patterns, increased flooding potential, further fragmentation of forest and habitat areas, and compromised aesthetic values. It has become widely recognized that disturbance of steep slopes should be restricted or prevented based on the impact disturbance of steep slopes can have on water quality and quantity, and the environmental integrity of landscapes.

**18-14.3 APPLICABILITY**

This Ordinance shall be applicable to new development or land disturbance on a steep slope within Cliffside Park.

**18-14.4 DEFINITIONS**

“Disturbance” means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

“Impervious surface” means any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, and includes porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structure, and other similar structures, surfaces, or improvements.

“Redevelopment” means the construction of structures or improvements on areas which previously contained structures or other improvements.

“Steep slopes” means any slope equal to or greater than 20 percent as measured over any minimum run of 10 feet. Steep slopes are determined based on contour intervals of one foot or less.

**18-14.5 DESIGNATION OF AREAS**

The percent of slope (rise in feet per horizontal distance) shall be established by measurement of distance perpendicular to the contour of the slope. The percent of slope shall be calculated for one foot contour interval. For example, any location on the site where there is a one-foot rise over a 10-foot horizontal run constitutes a 15 percent slope; a two-foot rise over a 10-foot horizontal run constitutes a 20 percent slope.

**18-14.6 STEEP SLOPE LIMITS**

For steep slopes any disturbance shall be prohibited except as provided below:

1. Redevelopment within the limits of existing impervious surfaces; and
2. New disturbance necessary to protect public health, safety, or welfare, such as necessary linear development with no feasible alternative; to provide an environmental benefit, such as remediation of a contaminated site; to prevent extraordinary hardship on the property owner peculiar to the property; or to prevent extraordinary hardship, provided the hardship was not created by property owner, that would not permit a minimum economically viable use of the property based upon reasonable investment. For example, redevelopment,

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within the footprint of existing impervious cover should be allowed to support efforts to revitalize development that has fallen into disrepair.

Any Developer that petitions the Zoning Board of Adjustment shall be required to demonstrate through site plans depicting proposed development and topography that new disturbance is not located in areas with a 20 percent or greater slope.

#### **18-14.7 CONFLICTS AND SEVERABILITY**

- A. Conflicts: All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this Ordinance apply.
- B. Severability:
  - 1. Interpretation: This Ordinance shall be construed as not to conflict with any provision of New Jersey or Federal law.
  - 2. Notwithstanding that any provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, all remaining provisions of the Ordinance shall continue to be of full force and effect.
  - 3. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

#### **18-14.8 ENFORCEMENT, VIOLATION AND PENALTIES**

A prompt investigation shall be made the appropriate personnel of Cliffside Park, of any person or entity believed to be in violation hereof. If, upon inspection, a condition which is in violation of this Ordinance is discovered, a civil action in the Special Part of the Supreme Court, or in the Supreme Court, if the primary relief sought is injunctive or if penalties may exceed the jurisdictional limit of the Special Civil Part, by the filing and serving of appropriate process. Nothing in this Ordinance shall be construed to preclude the right of Cliffside Park, pursuant to N.J.S.A. 26:3A2-25, to initiate legal proceedings hereunder in Municipal Court. The violation of any section or subsection of this Ordinance shall constitute a separate and distinct offense independent of the violation of any other section or subsection, or of any order issues pursuant to this Ordinance. Each day a violation continues shall be considered a separate offense.

- 1) Non-compliance shall result on the immediate issuance of a stop work order.
- 2) The violating party shall be required to restore the disturbed area to its natural conditions.
- 3) The violating party shall be responsible for all Municipal expenses including but not limited to reasonable engineering and attorney fees.

**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 Councilman Bongard, 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 name and address for the record.

**PUBLIC PARTICIPATION:** None.

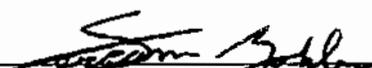
September 8, 2015

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

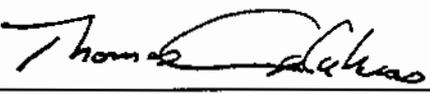
**ADJOURN:**

On a motion by Councilman Bongard, seconded by Councilman Colao, the meeting was adjourned at 7:18 p.m.

**ATTEST:**

  
SERCAN ZOKLU, RMC  
BOROUGH CLERK

**APPROVED:**

  
THOMAS CALABRESE  
MAYOR