

FEBRUARY 9, 2016

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

**MINUTES OF THE REGULAR MEETING
FEBRUARY 9, 2016**

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 Corcoran, seconded by Councilman Colao, Councilman Fontana was excused from the proceedings.

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 JANUARY 8, 2016 WITH THE RECORD, AND JANUARY 11, 2016 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:

CRISTINA CUTRONE, PRESIDENT OF THE WOMEN EMPOWERED DEMOCRATIC ORGANIZATION, TO PRESENT A CERTIFICATE OF COMMENDATION TO COUNCILWOMAN DONNA SPOTO FOR HER RE-ELECTION

MINUTES:

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti, the minutes of the Caucus Meeting of January 19, 2016 were accepted.

ROLL CALL:

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

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti, the minutes of the Regular Meeting of January 19, 2016 were accepted.

ROLL CALL:

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

On a motion by Councilman Corcoran, seconded by Councilwoman Martinotti, the minutes of the Closed Executive Session Meeting of January 19, 2016 were accepted.

ROLL CALL:

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

CONSENT AGENDA:

On a motion by Councilman Bongard, seconded by Councilman Colao, 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 Colao, Resolutions 2016-41 to 2016-57 were offered for adoption:

ROLL CALL:

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

RESOLUTION 2016-41

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:

1. SPRING EVENT:

Thursday May 5, 2016
Friday May 6, 2016
Saturday May 7, 2016

2. SUMMER EVENT:

Thursday July 14, 2016
Friday July 15, 2016
Saturday July 16, 2016

3. AUTUMN EVENT:

Thursday September 8, 2016
Friday September 9, 2016
Saturday September 10, 2016

RESOLUTION 2016-42

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, Charles Maurice of 172 Palisade Avenue, Apt. 1 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 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 an eight 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 2016-43

WHEREAS, ECO TECH DEVELOPERS LLC OF 327 GORGE ROAD B.704 L.12 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$7,711.97 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 15-02 SOLD TO TWR AS CUST FOR EBURY FUND 1 NJ LLC FOR 2014 TAXES IN THE AMOUNT OF \$2,573.24; 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 \$7,711.97 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 TWR AS CUST FOR EBURY FUND 1 NJ LLC, PO BOX 37695, BALTIMORE, MD 21297.

RESOLUTION 2016-44

WHEREAS, GULKIZ ZEKI OF 521 HIGHRIDGE AVE B.1401 L.16 CLIFFSIDE PARK, HAS DEPOSITED A CHECK IN THE AMOUNT OF \$20,405.69 WITH THE BOROUGH OF CLIFFSIDE PARK FOR THE REDEMPTION OF TAX TITLE LIEN # 15-04 SOLD TO TWR AS CUST FOR EBURY FUND 1 NJ LLC FOR 2014 TAXES IN THE AMOUNT OF \$10,052.56; 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 \$20,405.69 FOR THE REDEMPTION OF SAID TAX TITLE LIEN AND \$46,000.00 FOR PREMIUM ON SAID LIEN; AND

BE IT FURTHER RESOLVED THAT SAID CHECK BE DRAWN ON THE BOROUGH OF CLIFFSIDE PARK TRUST ACCOUNT AND PAYABLE TO TWR AS CUST FOR EBURY FUND 1 NJ LLC, PO BOX 37695, BALTIMORE, MD 21297.

RESOLUTION 2016-45

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 2016-46

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK, THAT THE PROPER FINANCIAL OFFICER BE, AND HE IS HEREBY

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AUTHORIZED TO ISSUE CHECKS AS REFUNDS ON THEIR 2014 AND PRIOR TAXES IN ACCORDANCE WITH THE SCHEDULES WHICH ARE ON FILE IN THE OFFICE OF THE TAX COLLECTOR.

RESOLUTION 2016-47

MAYOR'S APPOINTMENTS

Pursuant to the obligations imposed upon my by law, I make the following nominations and seek the advice and consent of the Council:

| | |
|---------------------------------------------------|---------------------|
| <u>VOLUNTEER FIREFIGHTER – 1 Year Term</u> | Term Expires |
| Bryan Antolos | 12/31/16 |

RESOLUTION 2016-48

WHEREAS, THERE EXISTS A NEED FOR THE BOROUGH OF CLIFFSIDE PARK HEALTH DEPARTMENT TO PROVIDE STATE MANDATED PUBLIC HEALTH SERVICES OF A TECHNICAL AND PROFESSIONAL NATURE FOR PUBLIC HEALTH INFRASTRUCTURE ADMINISTRATION AND HEALTH OFFICER COVERAGE; AND

WHEREAS, THE BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES CAN PROVIDE DULY QUALIFIED PERSONNEL TO CARRY OUT THESE PUBLIC HEALTH SERVICES; AND

WHEREAS, THE COST OF THESE SERVICES ARE LISTED BELOW AND FUNDS WILL BE AVAILABLE FOR THIS PURPOSE; AND

| | 2016 | 2017 | 2018 |
|----------------|--------------|---------|---------|
| HEALTH OFFICER | \$1.25 | \$1.28 | \$1.30 |
| ANIMAL CONTROL | \$1.35 | \$1.39 | \$1.42 |
| SEPTIC/WELL | \$70.00 | \$71.75 | \$73.37 |
| EAP/SAP | \$20.00 | \$20.50 | \$21.00 |
| REHS | See attached | | |

WHEREAS, THE BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES HAS AGREED TO PROVIDE PUBLIC HEALTH SHARED SERVICES THROUGH A CONTRACT AGREEMENT WITH THE BOROUGH OF CLIFFSIDE PARK, DEPARTMENT OF HEALTH FOR THE CALENDAR YEARS 2016, 2017 AND 2018; AND

WHEREAS, IT HAS BEEN CERTIFIED THAT THIS MEETS THE STATUTES AND REGULATIONS CONCERNING THE AWARD OF SAID CONTRACT:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF CLIFFSIDE PARK AS FOLLOWS:

1. THAT THE MAYOR, ADMINISTRATOR AND/OR BOROUGH CLERK OF THE BOROUGH OF CLIFFSIDE PARK ARE HEREBY AUTHORIZED AND DIRECTED TO EXECUTE AN AGREEMENT WITH THE BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES TO PERFORM HEALTH OFFICER SERVICES, ANIMAL CONTROL SERVICES, REHS SERVICES, SEPTIC/WELL SERVICES, AND EAP/SAP SERVICES.
2. THESE CONTRACTS ARE AWARDED WITHOUT COMPETITIVE BIDDING IN ACCORDANCE WITH N.J.S.A. 40A:11-5(2)

BE IT FURTHER RESOLVED THAT THE CHIEF FINANCIAL OFFICER HAS CERTIFIED, IN ACCORDANCE WITH N.J.A.C. 5:30 14.5 THAT SUFFICIENT LEGALLY APPROPRIATED FUNDS WILL BE AVAILABLE FOR THIS PURPOSE SUBJECT TO APPROPRIATION OF FUNDS IN THE TEMPORARY/ ADOPTED BUDGET.

BE IT FURTHER RESOLVED THAT THREE (3) CERTIFIED COPIES OF THIS RESOLUTION SHALL BE SENT TO THE BERGEN COUNTY HEALTH DEPARTMENT.

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RESOLUTION 2016-49

MAYOR'S APPOINTMENTS

Pursuant to the obligations imposed upon my by law, I make the following nominations and seek the advice and consent of the Council:

SECRETARY TO TAX ASSESSOR

Virginia Calabrese

\$16 / hour effective February 10, 2016

RESOLUTION 2016-50

WHEREAS, Mayor Thomas Calabrese has recommended amending the drug and alcohol section of the personnel policy; and

WHEREAS, the Borough Administrator and Borough Clerk have reviewed said policy and recommend a modification to said policy; and

NOW THEREFORE BE IT RESOLVED that the Council does hereby adopt and add into Section E of the Drug and Alcohol Policy an ALTERNATE LAB: Cliffside Labs, 579 Bergen Blvd., Ridgefield, NJ 07657, 201-945-3467; and

BE IT FURTHER RESOLVED this Resolution and its policy affecting Municipal Employees shall renew automatically on January 1st of each year without further action by the Council; and

BE IT FURTHER RESOLVED that a certified to be a true copy of this Resolution be tendered to Borough Administrator Joseph Rutch, Borough Clerk Sercan Zoklu, and the Chief Financial Officer Frank Berardo.

RESOLUTION 2016-51

Shared Services Agreement for Short Term Emergency Sharing of Fire Apparatus between the County of Bergen and the Borough of Cliffside Park

WHEREAS, the County of Bergen operates a Fire Academy through the County's Department of Public Safety; and

WHEREAS, the County of Bergen owns certain fire apparatus, including ladder vehicles and engines ("Fire Apparatus") used for training firefighters; and

WHEREAS, in furtherance of the of the County Executive's shared services initiative, the County seeks to establish a program to make certain Fire Apparatus available to the municipalities within Bergen County on a temporary/emergency basis for use as front line fire apparatus when not needed for training purposes ("Fire Apparatus Loaner Program"); and

WHEREAS, the County of Bergen has determined that by entering into a Shared Services Agreement governing the terms for borrowing the County's Fire Apparatus in advance of a municipality's need to organize the Fire Apparatus, the parties will be able to facilitate the prompt availability of the Fire Apparatus at such time as a municipality has a need to utilize it; and

WHEREAS, the Shared Services Agreement sets forth the terms under which the County will, subject to availability, loan Fire Apparatus to Cliffside Park on an emergent, temporary basis, such as in circumstances of breakdown or destruction of the municipality's firefighting vehicles;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Cliffside Park hereby authorizes Mayor Thomas Calabrese to execute the shared services agreement for short term emergency sharing of fire apparatus between the County of Bergen and the Borough of Cliffside Park.

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RESOLUTION 2016-52

WHEREAS, Rose Messina, the current Director of Recreation, has been employed with the Borough for over 28 consecutive years; and

WHEREAS, Rose Messina, during her tenure, has accumulated sick and vacation time throughout the 28 year and ten month period of service, as more fully described in the CFO's memorandum attached hereto; and

WHEREAS, pursuant to Resolution 56-2000, Borough Employees are entitled to receive one half of all unused sick time in the amount of \$20,000.00, plus the repayment of all accrued vacation; and

BE IT FURTHER RESOLVED that Rose Messina has petitioned the Council, and the Council has agreed to accept June 27, 2016 as the last day of employment with retirement commencing on July 1, 2016; and

THEREFORE, BE IT RESOLVED this Council does hereby accept the retirement calculations prepared by Borough CFO Frank Berardo, and does hereby authorize the payments to Rose Messina as more fully described in the CFO's memorandum; and

BE IT FURTHER RESOLVED a certified to be true to be copy of this Resolution be tendered to Rose Messina, Frank Berardo, CFO, and Joseph Rutch, Borough Administrator.

RESOLUTION 2016-53

WHEREAS, the Mayor and Council is of the opinion that the Municipal Recreation Department should establish a supervisory position, specifically for the creating and monitoring all current and future recreational youth programs; and

WHEREAS, the Council has determined that the supervisory position is directly related to the Borough's expanded recreational facilities and programs; and

WHEREAS, Frank Scerbo is currently employed with the Municipality in the Recreation Department; and

WHEREAS, Frank Scerbo's recreational and educational credentials make him specifically qualified to supervise all current and future recreational youth programs; and

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby appoint Frank Scerbo to the title of Cliffside Park Recreational Department Youth Sports Supervisor at an annual remuneration of \$34,000.00 effective February 10, 2016; and

BE IT FURTHER RESOLVED that Frank Scerbo is not entitled to health benefits; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to Borough Administrator Joseph Rutch, CFO Frank Berardo and Frank Scerbo.

RESOLUTION 2016-54

WHEREAS, the Cliffside Park Board of Adjustment has reviewed, accepted and approved variance and site plan applications for the following properties:

Mr. and Mrs. Mark Loetscher, 340 Adolphus Avenue, Block 705, Lots Nos. 9 & 18

WHEREAS, pursuant to Municipal Law, the Zoning Board has the ability to impose as a condition to the approval the execution of a Developer's Agreement; and

WHEREAS, the Developer's Agreements have been prepared by the Zoning Board of Adjustment Attorney Doug Bern, Esq.; and

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BE IT BE IT RESOLVED that the Council does hereby authorize the Mayor to accept and execute the Developer's Agreements on behalf of the Borough subject to the posting of all escrows, performance guarantees and/or bonds as noted in each respective Agreement; and

BE IT FURTHER RESOLVED that a certified to be true copy of this Resolution be tendered to the respective property owners noted herein, Building, Zoning, Legal Departments and the Borough Clerk.

RESOLUTION 2016-55

MAYOR'S APPOINTMENTS

Pursuant to the obligations imposed upon my by law, I make the following nominations and seek the advice and consent of the Council:

| | Term Expires |
|--------------------------------------------------------------|---------------------|
| <u>BOARD OF ADJUSTMENT – 4 Year Term</u> | |
| Anthony Guardascione | 12/31/16 |
| <u>BOARD OF ADJUSTMENT – ALTERNATES – 2 Year Term</u> | |
| Carl Raincourt | 12/31/16 |
| Vacancy | 12/31/17 |

RESOLUTION 2016-56

WHEREAS, the Cliffside Park Police Department has received a request from **Camillo Macchione** of **269 Jersey Avenue** for a handicapped parking space in front of the residence. **Camillo Macchione** has been issued Permanent Handicap Place Card **P1138640** 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: |
|-----------------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jersey Avenue | North | Beginning at a point approximately 109 feet east of the northeast curb line of Anderson Avenue and Jersey Avenue continuing to a point 22 feet easterly thereof. |

RESOLUTION 2016-57

WHEREAS, the Cliffside Park Police Department has received a request from **Caryn B. Gilbert** of **457-A Bagley Place** for a handicapped parking space in front of the residence. **Caryn B. Gilbert** has been issued Permanent Handicap Place Card **P1483401** 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: |
|-----------------------|--------------|------------------------------------------------------------------------|
| Bagley Place | North | Beginning at a point approximately 150 feet west of the northwest curb |

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line of West End Avenue and Bagley Place and continuing to a point 22 feet easterly thereof.

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

PUBLIC PORTION:

On a motion by Councilman Bongard, 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 name and address for the record.

PUBLIC PARTICIPATION:

Mrs. Linda McFadden of 368-A Lawton Avenue has lived in Cliffside Park for twenty years. She stated that due to trucks making deliveries and the adjacent restaurants located on Lawton Avenue, her driveway is continuously blocked. She further stated that she is extremely frustrated. The Mayor reviewed the photographs and stated that Chief Richard Gaito would increase police patrols of the area to ensure that her driveway will remain clear going forward.

Nina Grskovic of 544 Anderson Avenue, Apt. 1C, began by thanking the Mayor and Council on behalf of herself and all pedestrians for posting a crossing guard at the intersection of Anderson and Greenmount Avenues.

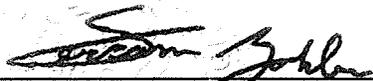
Meredith Ansell congratulated Rose Messina on her retirement. She stated that she had been experiencing difficulties with regard to being able to gain access to a gymnasium for practices. The Clerk stated that he would give her contact information to the newly appointed Recreation Department's Youth Sports Supervisor, Frank Scerbo.

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

ADJOURN:

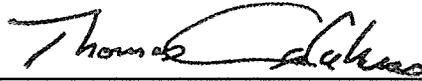
On a motion by Councilman Bongard, seconded by Councilwoman Martinotti, the meeting was adjourned at 7:20 p.m.

ATTEST:



SERCAN ZOKLU, RMC
BOROUGH CLERK

APPROVED:



THOMAS CALABRESE
MAYOR